

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Budget Law of the Civil Administrative
5 Code of Illinois is amended by changing Section 50-5 as
6 follows:

7 (15 ILCS 20/50-5)

8 Sec. 50-5. Governor to submit State budget.

9 (a) The Governor shall, as soon as possible and not later
10 than the second Wednesday in March in 2010 (March 10, 2010),
11 the third Wednesday in February in 2011, the fourth Wednesday
12 in February in 2012 (February 22, 2012), the first Wednesday in
13 March in 2013 (March 6, 2013), the fourth Wednesday in March in
14 2014 (March 26, 2014), and the third Wednesday in February of
15 each year thereafter, except as otherwise provided in this
16 Section, submit a State budget, embracing therein the amounts
17 recommended by the Governor to be appropriated to the
18 respective departments, offices, and institutions, and for all
19 other public purposes, the estimated revenues from taxation,
20 and the estimated revenues from sources other than taxation.
21 Except with respect to the capital development provisions of
22 the State budget, beginning with the revenue estimates prepared
23 for fiscal year 2012, revenue estimates shall be based solely

1 on: (i) revenue sources (including non-income resources),
2 rates, and levels that exist as of the date of the submission
3 of the State budget for the fiscal year and (ii) revenue
4 sources (including non-income resources), rates, and levels
5 that have been passed by the General Assembly as of the date of
6 the submission of the State budget for the fiscal year and that
7 are authorized to take effect in that fiscal year. Except with
8 respect to the capital development provisions of the State
9 budget, the Governor shall determine available revenue, deduct
10 the cost of essential government services, including, but not
11 limited to, pension payments and debt service, and assign a
12 percentage of the remaining revenue to each statewide
13 prioritized goal, as established in Section 50-25 of this Law,
14 taking into consideration the proposed goals set forth in the
15 report of the Commission established under that Section. The
16 Governor shall also demonstrate how spending priorities for the
17 fiscal year fulfill those statewide goals. The amounts
18 recommended by the Governor for appropriation to the respective
19 departments, offices and institutions shall be formulated
20 according to each department's, office's, and institution's
21 ability to effectively deliver services that meet the
22 established statewide goals. The amounts relating to
23 particular functions and activities shall be further
24 formulated in accordance with the object classification
25 specified in Section 13 of the State Finance Act. In addition,
26 the amounts recommended by the Governor for appropriation shall

1 take into account each State agency's effectiveness in
2 achieving its prioritized goals for the previous fiscal year,
3 as set forth in Section 50-25 of this Law, giving priority to
4 agencies and programs that have demonstrated a focus on the
5 prevention of waste and the maximum yield from resources.

6 Beginning in fiscal year 2011, the Governor shall
7 distribute written quarterly financial reports on operating
8 funds, which may include general, State, or federal funds and
9 may include funds related to agencies that have significant
10 impacts on State operations, ~~and budget statements on all~~
11 ~~appropriated funds~~ to the General Assembly and the State
12 Comptroller. The reports shall be submitted no later than 45
13 days after the last day of each quarter of the fiscal year and
14 shall be posted on the Governor's Office of Management and
15 Budget's website on the same day. The reports shall be prepared
16 and presented ~~for each State agency and on a statewide level~~ in
17 an executive summary format that may include, for the fiscal
18 year to date, individual itemizations for each significant
19 revenue type as well as itemizations of expenditures and
20 obligations, by agency, with an appropriate level of detail.
21 The reports shall include a calculation of the actual total
22 budget surplus or deficit for the fiscal year to date. The
23 Governor shall also present periodic budget addresses
24 throughout the fiscal year at the invitation of the General
25 Assembly.

26 The Governor shall not propose expenditures and the General

1 Assembly shall not enact appropriations that exceed the
2 resources estimated to be available, as provided in this
3 Section. Appropriations may be adjusted during the fiscal year
4 by means of one or more supplemental appropriation bills if any
5 State agency either fails to meet or exceeds the goals set
6 forth in Section 50-25 of this Law.

7 For the purposes of Article VIII, Section 2 of the 1970
8 Illinois Constitution, the State budget for the following funds
9 shall be prepared on the basis of revenue and expenditure
10 measurement concepts that are in concert with generally
11 accepted accounting principles for governments:

- 12 (1) General Revenue Fund.
- 13 (2) Common School Fund.
- 14 (3) Educational Assistance Fund.
- 15 (4) Road Fund.
- 16 (5) Motor Fuel Tax Fund.
- 17 (6) Agricultural Premium Fund.

18 These funds shall be known as the "budgeted funds". The
19 revenue estimates used in the State budget for the budgeted
20 funds shall include the estimated beginning fund balance, plus
21 revenues estimated to be received during the budgeted year,
22 plus the estimated receipts due the State as of June 30 of the
23 budgeted year that are expected to be collected during the
24 lapse period following the budgeted year, minus the receipts
25 collected during the first 2 months of the budgeted year that
26 became due to the State in the year before the budgeted year.

1 Revenues shall also include estimated federal reimbursements
2 associated with the recognition of Section 25 of the State
3 Finance Act liabilities. For any budgeted fund for which
4 current year revenues are anticipated to exceed expenditures,
5 the surplus shall be considered to be a resource available for
6 expenditure in the budgeted fiscal year.

7 Expenditure estimates for the budgeted funds included in
8 the State budget shall include the costs to be incurred by the
9 State for the budgeted year, to be paid in the next fiscal
10 year, excluding costs paid in the budgeted year which were
11 carried over from the prior year, where the payment is
12 authorized by Section 25 of the State Finance Act. For any
13 budgeted fund for which expenditures are expected to exceed
14 revenues in the current fiscal year, the deficit shall be
15 considered as a use of funds in the budgeted fiscal year.

16 Revenues and expenditures shall also include transfers
17 between funds that are based on revenues received or costs
18 incurred during the budget year.

19 Appropriations for expenditures shall also include all
20 anticipated statutory continuing appropriation obligations
21 that are expected to be incurred during the budgeted fiscal
22 year.

23 By March 15 of each year, the Commission on Government
24 Forecasting and Accountability shall prepare revenue and fund
25 transfer estimates in accordance with the requirements of this
26 Section and report those estimates to the General Assembly and

1 the Governor.

2 For all funds other than the budgeted funds, the proposed
3 expenditures shall not exceed funds estimated to be available
4 for the fiscal year as shown in the budget. Appropriation for a
5 fiscal year shall not exceed funds estimated by the General
6 Assembly to be available during that year.

7 (b) By February 24, 2010, the Governor must file a written
8 report with the Secretary of the Senate and the Clerk of the
9 House of Representatives containing the following:

10 (1) for fiscal year 2010, the revenues for all budgeted
11 funds, both actual to date and estimated for the full
12 fiscal year;

13 (2) for fiscal year 2010, the expenditures for all
14 budgeted funds, both actual to date and estimated for the
15 full fiscal year;

16 (3) for fiscal year 2011, the estimated revenues for
17 all budgeted funds, including without limitation the
18 affordable General Revenue Fund appropriations, for the
19 full fiscal year; and

20 (4) for fiscal year 2011, an estimate of the
21 anticipated liabilities for all budgeted funds, including
22 without limitation the affordable General Revenue Fund
23 appropriations, debt service on bonds issued, and the
24 State's contributions to the pension systems, for the full
25 fiscal year.

26 Between July 1 and August 31 of each fiscal year, the

1 members of the General Assembly and members of the public may
2 make written budget recommendations to the Governor.

3 Beginning with budgets prepared for fiscal year 2013, the
4 budgets submitted by the Governor and appropriations made by
5 the General Assembly for all executive branch State agencies
6 must adhere to a method of budgeting where each priority must
7 be justified each year according to merit rather than according
8 to the amount appropriated for the preceding year.

9 (Source: P.A. 97-669, eff. 1-13-12; 97-813, eff. 7-13-12; 98-2,
10 eff. 2-19-13; 98-626, eff. 2-5-14.)

11 Section 10. The Personnel Code is amended by changing
12 Section 9 as follows:

13 (20 ILCS 415/9) (from Ch. 127, par. 63b109)

14 Sec. 9. Director, powers and duties. The Director, as
15 executive head of the Department, shall direct and supervise
16 all its administrative and technical activities. In addition to
17 the duties imposed upon him elsewhere in this law, it shall be
18 his duty:

19 (1) To apply and carry out this law and the rules adopted
20 thereunder.

21 (2) To attend meetings of the Commission.

22 (3) To establish and maintain a roster of all employees
23 subject to this Act, in which there shall be set forth, as to
24 each employee, the class, title, pay, status, and other

1 pertinent data.

2 (4) To appoint, subject to the provisions of this Act, such
3 employees of the Department and such experts and special
4 assistants as may be necessary to carry out effectively this
5 law.

6 (5) Subject to such exemptions or modifications as may be
7 necessary to assure the continuity of federal contributions in
8 those agencies supported in whole or in part by federal funds,
9 to make appointments to vacancies; to approve all written
10 charges seeking discharge, demotion, or other disciplinary
11 measures provided in this Act and to approve transfers of
12 employees from one geographical area to another in the State,
13 in offices, positions or places of employment covered by this
14 Act, after consultation with the operating unit.

15 (6) To formulate and administer service wide policies and
16 programs for the improvement of employee effectiveness,
17 including training, safety, health, incentive recognition,
18 counseling, welfare and employee relations. The Department
19 shall formulate and administer recruitment plans and testing of
20 potential employees for agencies having direct contact with
21 significant numbers of non-English speaking or otherwise
22 culturally distinct persons. The Department shall require each
23 State agency to annually assess the need for employees with
24 appropriate bilingual capabilities to serve the significant
25 numbers of non-English speaking or culturally distinct
26 persons. The Department shall develop a uniform procedure for

1 assessing an agency's need for employees with appropriate
2 bilingual capabilities. Agencies shall establish occupational
3 titles or designate positions as "bilingual option" for persons
4 having sufficient linguistic ability or cultural knowledge to
5 be able to render effective service to such persons. The
6 Department shall ensure that any such option is exercised
7 according to the agency's needs assessment and the requirements
8 of this Code. The Department shall make annual reports of the
9 needs assessment of each agency and the number of positions
10 calling for non-English linguistic ability to whom vacancy
11 postings were sent, and the number filled by each agency. Such
12 policies and programs shall be subject to approval by the
13 Governor. Such policies, program reports and needs assessment
14 reports shall be filed with the General Assembly by January 1
15 of each year and shall be available to the public.

16 The Department shall include within the report required
17 above the number of persons receiving the bilingual pay
18 supplement established by Section 8a.2 of this Code. The report
19 shall provide the number of persons receiving the bilingual pay
20 supplement for languages other than English and for signing.
21 The report shall also indicate the number of persons, by the
22 categories of Hispanic and non-Hispanic, who are receiving the
23 bilingual pay supplement for language skills other than
24 signing, in a language other than English.

25 (7) To conduct negotiations affecting pay, hours of work,
26 or other working conditions of employees subject to this Act.

1 (8) To make continuing studies to improve the efficiency of
2 State services to the residents of Illinois, including but not
3 limited to those who are non-English speaking or culturally
4 distinct, and to report his findings and recommendations to the
5 Commission and the Governor.

6 (9) To investigate from time to time the operation and
7 effect of this law and the rules made thereunder and to report
8 his findings and recommendations to the Commission and to the
9 Governor.

10 (10) To make an annual report regarding the work of the
11 Department, and such special reports as he may consider
12 desirable, to the Commission and to the Governor, or as the
13 Governor or Commission may request.

14 (11) (Blank). ~~To conduct research and planning regarding~~
15 ~~the total manpower needs of all offices, including the~~
16 ~~Lieutenant Governor, Secretary of State, State Treasurer,~~
17 ~~State Comptroller, State Superintendent of Education, and~~
18 ~~Attorney General, and of all departments, agencies, boards, and~~
19 ~~commissions of the executive branch, except state supported~~
20 ~~colleges and universities, and for that purpose to prescribe~~
21 ~~forms for the reporting of such personnel information as the~~
22 ~~department may request both for positions covered by this Act~~
23 ~~and for those exempt in whole or in part.~~

24 (12) To prepare and publish a semi-annual statement showing
25 the number of employees exempt and non-exempt from merit
26 selection in each department. This report shall be in addition

1 to other information on merit selection maintained for public
2 information under existing law.

3 (13) To authorize in every department or agency subject to
4 Jurisdiction C the use of flexible hours positions. A flexible
5 hours position is one that does not require an ordinary work
6 schedule as determined by the Department and includes but is
7 not limited to: 1) a part time job of 20 hours or more per week,
8 2) a job which is shared by 2 employees or a compressed work
9 week consisting of an ordinary number of working hours
10 performed on fewer than the number of days ordinarily required
11 to perform that job. The Department may define flexible time to
12 include other types of jobs that are defined above.

13 The Director and the director of each department or agency
14 shall together establish goals for flexible hours positions to
15 be available in every department or agency.

16 The Department shall give technical assistance to
17 departments and agencies in achieving their goals, and shall
18 report to the Governor and the General Assembly each year on
19 the progress of each department and agency.

20 When a goal of 10% of the positions in a department or
21 agency being available on a flexible hours basis has been
22 reached, the Department shall evaluate the effectiveness and
23 efficiency of the program and determine whether to expand the
24 number of positions available for flexible hours to 20%.

25 When a goal of 20% of the positions in a department or
26 agency being available on a flexible hours basis has been

1 reached, the Department shall evaluate the effectiveness and
2 efficiency of the program and determine whether to expand the
3 number of positions available for flexible hours.

4 Each department shall develop a plan for implementation of
5 flexible work requirements designed to reduce the need for day
6 care of employees' children outside the home. Each department
7 shall submit a report of its plan to the Department of Central
8 Management Services and the General Assembly. This report shall
9 be submitted biennially by March 1, with the first report due
10 March 1, 1993.

11 (14) To perform any other lawful acts which he may consider
12 necessary or desirable to carry out the purposes and provisions
13 of this law.

14 The requirement for reporting to the General Assembly shall
15 be satisfied by filing copies of the report with the Speaker,
16 the Minority Leader and the Clerk of the House of
17 Representatives and the President, the Minority Leader and the
18 Secretary of the Senate and the Legislative Research Unit, as
19 required by Section 3.1 of "An Act to revise the law in
20 relation to the General Assembly", approved February 25, 1874,
21 as amended, and filing such additional copies with the State
22 Government Report Distribution Center for the General Assembly
23 as is required under paragraph (t) of Section 7 of the State
24 Library Act.

25 (Source: P.A. 86-1004; 87-552; 87-1050.)

1 (20 ILCS 605/605-345 rep.)

2 (20 ILCS 605/605-425 rep.)

3 Section 15. The Department of Commerce and Economic
4 Opportunity Law of the Civil Administrative Code of Illinois is
5 amended by repealing Sections 605-345 and 605-425.

6 Section 20. The Energy Conservation and Coal Development
7 Act is amended by changing Section 3 as follows:

8 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

9 Sec. 3. Powers and Duties.

10 (a) In addition to its other powers, the Department has the
11 following powers:

12 (1) To administer for the State any energy programs and
13 activities under federal law, regulations or guidelines,
14 and to coordinate such programs and activities with other
15 State agencies, units of local government, and educational
16 institutions.

17 (2) To represent the State in energy matters involving
18 the federal government, other states, units of local
19 government, and regional agencies.

20 (3) To prepare energy contingency plans for
21 consideration by the Governor and the General Assembly.
22 Such plans shall include procedures for determining when a
23 foreseeable danger exists of energy shortages, including
24 shortages of petroleum, coal, nuclear power, natural gas,

1 and other forms of energy, and shall specify the actions to
2 be taken to minimize hardship and maintain the general
3 welfare during such energy shortages.

4 (4) To cooperate with State colleges and universities
5 and their governing boards in energy programs and
6 activities.

7 (5) (Blank).

8 (6) To accept, receive, expend, and administer,
9 including by contracts and grants to other State agencies,
10 any energy-related gifts, grants, cooperative agreement
11 funds, and other funds made available to the Department by
12 the federal government and other public and private
13 sources.

14 (7) To investigate practical problems, seek and
15 utilize financial assistance, implement studies and
16 conduct research relating to the production, distribution
17 and use of alcohol fuels.

18 (8) To serve as a clearinghouse for information on
19 alcohol production technology; provide assistance,
20 information and data relating to the production and use of
21 alcohol; develop informational packets and brochures, and
22 hold public seminars to encourage the development and
23 utilization of the best available technology.

24 (9) To coordinate with other State agencies in order to
25 promote the maximum flow of information and to avoid
26 unnecessary overlapping of alcohol fuel programs. In order

1 to effectuate this goal, the Director of the Department or
2 his representative shall consult with the Directors, or
3 their representatives, of the Departments of Agriculture,
4 Central Management Services, Transportation, and Revenue,
5 the Office of the State Fire Marshal, and the Environmental
6 Protection Agency.

7 (10) To operate, within the Department, an Office of
8 Coal Development and Marketing for the promotion and
9 marketing of Illinois coal both domestically and
10 internationally. The Department may use monies
11 appropriated for this purpose for necessary administrative
12 expenses.

13 The Office of Coal Development and Marketing shall
14 develop and implement an initiative to assist the coal
15 industry in Illinois to increase its share of the
16 international coal market.

17 (11) To assist the Department of Central Management
18 Services in establishing and maintaining a system to
19 analyze and report energy consumption of facilities leased
20 by the Department of Central Management Services.

21 (12) To consult with the Departments of Natural
22 Resources and Transportation and the Illinois
23 Environmental Protection Agency for the purpose of
24 developing methods and standards that encourage the
25 utilization of coal combustion by-products as value added
26 products in productive and benign applications.

1 (13) To provide technical assistance and information
2 to sellers and distributors of storage hot water heaters
3 doing business in Illinois, pursuant to Section 1 of the
4 Hot Water Heater Efficiency Act.

5 (b) (Blank).

6 (c) (Blank).

7 (d) The Department shall develop a package of educational
8 materials containing information regarding the necessity of
9 waste reduction and recycling to reduce dependence on landfills
10 and to maintain environmental quality. The Department shall
11 make this information available to the public on its website
12 and for schools to access for their development of materials.
13 Those materials developed shall be suitable for instructional
14 use in grades 3, 4 and 5. The Department shall distribute such
15 instructional material to all public elementary and unit school
16 districts and make the information available on the
17 Department's website no later than November 1, of each year.

18 (e) (Blank).

19 (f) (Blank).

20 (g) (Blank).

21 (h) (Blank).

22 (i) (Blank).

23 (Source: P.A. 98-44, eff. 6-28-13.)

24 (20 ILCS 2310/2310-373 rep.)

25 (20 ILCS 2310/2310-396 rep.)

1 Section 35. The Department of Public Health Powers and
2 Duties Law of the Civil Administrative Code of Illinois is
3 amended by repealing Sections 2310-373 and 2310-396.

4 (20 ILCS 2605/2605-420 rep.)

5 Section 40. The Department of State Police Law of the Civil
6 Administrative Code of Illinois is amended by repealing Section
7 2605-420.

8 Section 45. The Governor's Office of Management and Budget
9 Act is amended by changing Section 7.3 as follows:

10 (20 ILCS 3005/7.3)

11 Sec. 7.3. Annual economic and fiscal policy report. No
12 later than the 3rd business day in ~~By~~ January ~~±~~ of each year,
13 the Governor's Office of Management and Budget shall submit an
14 economic and fiscal policy report to the General Assembly. The
15 report must outline the long-term economic and fiscal policy
16 objectives of the State, the economic and fiscal policy
17 intentions for the upcoming fiscal year, and the economic and
18 fiscal policy intentions for the following 2 fiscal years. The
19 report must highlight the total level of revenue, expenditure,
20 deficit or surplus, and debt with respect to each of the
21 reporting categories. The report must be posted on the Office's
22 Internet website and allow members of the public to post
23 comments concerning the report.

1 (Source: P.A. 96-1354, eff. 7-28-10.)

2 Section 50. The Capital Spending Accountability Law is
3 amended by changing Section 805 as follows:

4 (20 ILCS 3020/805)

5 Sec. 805. Reports on capital spending. Not later than 45
6 days after ~~On the first day of~~ each quarterly period in each
7 fiscal year, the Governor's Office of Management and Budget
8 shall provide to the Comptroller, the Treasurer, the President
9 and the Minority Leader of the Senate, and the Speaker and the
10 Minority Leader of the House of Representatives a report on the
11 status of all capital projects in the State. The report may
12 ~~must~~ be provided in both written and electronic format. The
13 report must include all of the following:

14 (1) A brief description or stated purpose of each
15 capital project where applicable (as referred to in this
16 Section, "project").

17 (2) The amount and source of funds (whether from bond
18 funds or other revenues) appropriated for each project,
19 organized into categories including roads, mass transit,
20 schools, environment, civic centers and other categories
21 as applicable (as referred to in this Section, "category or
22 categories"), with subtotals for each category.

23 (3) The date the appropriation bill relating to each
24 project was signed by the Governor, organized into

1 categories.

2 (4) The date the written release of the Governor for
3 each project was submitted to the Comptroller or is
4 projected to be submitted and, if a release for any project
5 has not been submitted within 6 months after its
6 appropriation became law, an explanation why the project
7 has not yet been released, all organized into categories.

8 (5) The amount of expenditures to date by the State
9 relating to each project and estimated amount of total
10 State expenditures and proposed schedule of future State
11 expenditures relating to each project, all organized into
12 categories.

13 (6) A timeline for completion of each project,
14 including the dates, if applicable, of execution by the
15 State of any grant agreement, any required engineering or
16 design work or environmental approvals, and the estimated
17 or actual dates of the start and completion of
18 construction, all organized into categories. Any
19 substantial variances on any project from this reported
20 timeline must be explained in the next quarterly report.

21 (7) A summary report of the status of all projects,
22 including the amount of undisbursed funds intended to be
23 held or used in the next quarter.

24 (Source: P.A. 96-34, eff. 7-13-09.)

25 (30 ILCS 105/5.250 rep.)

1 Section 55. The State Finance Act is amended by repealing
2 Section 5.250.

3 (30 ILCS 720/Act rep.)

4 Section 65. The Industrial Development Assistance Law is
5 repealed.

6 (30 ILCS 750/9-4.5 rep.)

7 Section 70. The Build Illinois Act is amended by repealing
8 Section 9-4.5.

9 Section 75. The Property Tax Code is amended by changing
10 Sections 8-35, 17-20, and 17-40 as follows:

11 (35 ILCS 200/8-35)

12 Sec. 8-35. Notification requirements; procedure on
13 protest.

14 (a) Assessments made by the Department. Upon completion of
15 its original assessments, the Department shall publish a
16 complete list of the assessments on its official website. ~~in~~
17 ~~the State "official newspaper."~~ Any person feeling aggrieved by
18 any such assessment may, within 10 days of the date of
19 publication of the list, apply to the Department for a review
20 and correction of that assessment. Upon review of the
21 assessment, the Department shall make any correction as it
22 considers just.

1 If review of an assessment has been made and notice has
2 been given of the Department's decision, any party to the
3 proceeding who feels aggrieved by the decision, may file an
4 application for hearing. The application shall be in writing
5 and shall be filed with the Department within 20 days after
6 notice of the decision has been given by certified mail.
7 Petitions for hearing shall state concisely the mistakes
8 alleged to have been made or the new evidence to be presented.

9 No action for the judicial review of any assessment
10 decision of the Department shall be allowed unless the party
11 commencing such action has filed an application for a hearing
12 and the Department has acted upon the application.

13 The extension of taxes on an assessment shall not be
14 delayed by any proceeding under this Section. In cases where
15 the assessment is revised, the taxes extended upon the
16 assessment, or that part of the taxes as may be appropriate,
17 shall be abated or, if already paid, refunded.

18 (b) Exemption decisions made by the Department. Notice of
19 each exemption decision made by the Department under Section
20 15-25, 16-70, or 16-130 shall be given by certified mail to the
21 applicant for exemption.

22 If an exemption decision has been made by the Department
23 and notice has been given of the Department's decision, any
24 party to the proceeding who feels aggrieved by the decision may
25 file an application for hearing. The application shall be in
26 writing and shall be filed with the Department within 60 days

1 after notice of the decision has been given by certified mail.
2 Petitions for hearing shall state concisely the mistakes
3 alleged to have been made or the new evidence to be presented.

4 If a petition for hearing is filed, the Department shall
5 reconsider the exemption decision and shall grant any party to
6 the proceeding a hearing. As soon as practical after the
7 reconsideration and hearing, the Department shall issue a
8 notice of decision by mailing the notice by certified mail. The
9 notice shall set forth the Department's findings of fact and
10 the basis of the decision.

11 Within 30 days after the mailing of a notice of decision,
12 any party to the proceeding may file with the Director a
13 written request for rehearing in such form as the Department
14 may by rule prescribe, setting forth the grounds on which
15 rehearing is requested. If rehearing or Departmental review is
16 granted, as soon as practical after the rehearing or
17 Departmental review has been held, the Department shall issue a
18 revised decision to the party or the party's legal
19 representative as a result of the rehearing. The action of the
20 Department on a petition for hearing shall become final the
21 later of (i) 30 days after issuance of a notice of decision, if
22 no request for rehearing is made, or (ii) if a timely request
23 for rehearing is made, upon the issuance of the denial of the
24 request or the issuance of a notice of final decision.

25 No action for the judicial review of any exemption decision
26 of the Department shall be allowed unless the party commencing

1 the action has filed an application for a hearing and the
2 Department has acted upon the application.

3 The extension of taxes on an assessment shall not be
4 delayed by any proceeding under this Section. In cases when the
5 exemption is granted, in whole or in part, the taxes extended
6 upon the assessment, or that part of the taxes as may be
7 appropriate, shall be abated or, if already paid, refunded.

8 (Source: P.A. 92-658, eff. 7-16-02.)

9 (35 ILCS 200/17-20)

10 Sec. 17-20. Hearing on tentative equalization factor. The
11 Department shall, after publishing its tentative equalization
12 factor and giving notice of hearing to the public on its
13 official website ~~in a newspaper of general circulation in the~~
14 ~~county~~, hold a hearing on its estimate not less than 10 days
15 nor more than 30 days from the date of the publication. The
16 notice shall state the date and time of the hearing, which
17 shall be held in either Chicago or Springfield, the basis for
18 the estimate of the Department, and further information as the
19 Department may prescribe. The Department shall, after giving a
20 hearing to all interested parties and opportunity for
21 submitting testimony and evidence in support of or adverse to
22 the estimate as the Department considers requisite, either
23 confirm or revise the estimate so as to correctly represent the
24 considered judgment of the Department respecting the estimated
25 percentage to be added to or deducted from the aggregate

1 assessment of all locally assessed property in the county
2 except property assessed under Sections 10-110 through 10-140
3 or 10-170 through 10-200. Within 30 days after the conclusion
4 of the hearing the Department shall mail to the County Clerk,
5 by certified mail, its determination with respect to such
6 estimated percentage to be added to or deducted from the
7 aggregate assessment.

8 (Source: P.A. 91-555, eff. 1-1-00.)

9 (35 ILCS 200/17-40)

10 Sec. 17-40. Publication of final equalization factor. The
11 Department shall publish on its official website ~~in each county~~
12 the percentage and equalization factor certified to each county
13 clerk under Section 17-30. If the percentage differs from the
14 percentage derived from the initial estimate certified under
15 Section 17-15, a statement as to the basis for the final
16 percentage shall also be published. The Department shall
17 provide the statement to any member of the public upon request.

18 (Source: P.A. 79-703; 88-455.)

19 Section 80. The Adult Education Reporting Act is amended by
20 changing Section 1 as follows:

21 (105 ILCS 410/1) (from Ch. 122, par. 1851)

22 Sec. 1. As used in this Act, "agency" means: the
23 Departments of Corrections, ~~Public Aid,~~ Commerce and Economic

1 Opportunity, Human Services, and Public Health; the Secretary
2 of State; the Illinois Community College Board; and the
3 Administrative Office of the Illinois Courts. On and after July
4 1, 2001, "agency" includes the State Board of Education and
5 does not include the Illinois Community College Board.

6 (Source: P.A. 94-793, eff. 5-19-06.)

7 Section 85. The Public Community College Act is amended by
8 changing Section 2-10 as follows:

9 (110 ILCS 805/2-10) (from Ch. 122, par. 102-10)

10 Sec. 2-10. The State Board shall make a thorough,
11 comprehensive and continuous study of the status of community
12 college education, its problems, needs for improvement, and
13 projected developments and shall make a detailed report thereof
14 to the General Assembly not later than March 1 of each
15 odd-numbered year and shall submit recommendations for such
16 legislation as it deems necessary.

17 The requirement for reporting to the General Assembly shall
18 be satisfied by electronically filing copies of the report with
19 the Speaker, the Minority Leader and the Clerk of the House of
20 Representatives and the President, the Minority Leader and the
21 Secretary of the Senate and the Legislative Research Unit, as
22 required by Section 3.1 of "An Act to revise the law in
23 relation to the General Assembly", approved February 25, 1874,
24 as amended, and electronically filing such additional copies

1 with the State Government Report Distribution Center for the
2 General Assembly as is required under paragraph (t) of Section
3 7 of the State Library Act. A copy of the report shall also be
4 posted on the State Board's website.

5 (Source: P.A. 84-1438.)

6 (215 ILCS 5/178 rep.)

7 Section 90. The Illinois Insurance Code is amended by
8 repealing Section 178.

9 (215 ILCS 5/Art. XVI rep.)

10 (215 ILCS 5/Art. XIXB rep.)

11 Section 95. The Illinois Insurance Code is amended by
12 repealing Articles XVI and XIXB.

13 (225 ILCS 120/24 rep.)

14 Section 100. The Wholesale Drug Distribution Licensing Act
15 is amended by repealing Section 24.

16 Section 105. The Solid Waste Site Operator Certification
17 Law is amended by changing Section 1011 as follows:

18 (225 ILCS 230/1011) (from Ch. 111, par. 7861)

19 Sec. 1011. Fees.

20 (a) Fees for the issuance or renewal of a Solid Waste Site
21 Operator Certificate shall be as follows:

1 (1) (A) \$400 for issuance or renewal for Class A Solid
2 Waste Site Operators; (B) \$200 for issuance or renewal for
3 Class B Solid Waste Site Operators; and (C) \$100 for
4 issuance or renewal for special waste endorsements.

5 (2) If the fee for renewal is not paid within the grace
6 period the above fees for renewal shall each be increased
7 by \$50.

8 (b) Before the effective date of this amendatory Act of the
9 98th General Assembly, all ~~All~~ fees collected by the Agency
10 under this Section shall be deposited into the Hazardous Waste
11 Occupational Licensing Fund. The Agency is authorized to use
12 monies in the Hazardous Waste Occupational Licensing Fund to
13 perform its functions, powers, and duties under this Section.

14 On and after the effective date of this amendatory Act of
15 the 98th General Assembly, all fees collected by the Agency
16 under this Section shall be deposited into the Environmental
17 Protection Permit and Inspection Fund to be used in accordance
18 with the provisions of Section 22.8 of the Environmental
19 Protection Act.

20 (Source: P.A. 86-1363.)

21 Section 110. The Illinois Athlete Agents Act is amended by
22 changing Section 180 as follows:

23 (225 ILCS 401/180)

24 Sec. 180. Civil penalties.

1 (a) In addition to any other penalty provided by law, any
2 person who violates this Act shall forfeit and pay a civil
3 penalty to the Department in an amount not to exceed \$10,000
4 for each violation as determined by the Department. The civil
5 penalty shall be assessed by the Department in accordance with
6 the provisions of this Act.

7 (b) The Department has the authority and power to
8 investigate any and all unlicensed activity.

9 (c) The civil penalty shall be paid within 60 days after
10 the effective date of the order imposing the civil penalty. The
11 order shall constitute a judgment and may be filed and
12 execution had thereon in the same manner as any judgment from
13 any court of record.

14 (d) All moneys collected under this Section shall be
15 deposited into the General Professions Dedicated Fund.

16 (Source: P.A. 96-1030, eff. 1-1-11.)

17 Section 115. The Illinois Horse Racing Act of 1975 is
18 amended by changing Section 30 as follows:

19 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

20 Sec. 30. (a) The General Assembly declares that it is the
21 policy of this State to encourage the breeding of thoroughbred
22 horses in this State and the ownership of such horses by
23 residents of this State in order to provide for: sufficient
24 numbers of high quality thoroughbred horses to participate in

1 thoroughbred racing meetings in this State, and to establish
2 and preserve the agricultural and commercial benefits of such
3 breeding and racing industries to the State of Illinois. It is
4 the intent of the General Assembly to further this policy by
5 the provisions of this Act.

6 (b) Each organization licensee conducting a thoroughbred
7 racing meeting pursuant to this Act shall provide at least two
8 races each day limited to Illinois conceived and foaled horses
9 or Illinois foaled horses or both. A minimum of 6 races shall
10 be conducted each week limited to Illinois conceived and foaled
11 or Illinois foaled horses or both. No horses shall be permitted
12 to start in such races unless duly registered under the rules
13 of the Department of Agriculture.

14 (c) Conditions of races under subsection (b) shall be
15 commensurate with past performance, quality, and class of
16 Illinois conceived and foaled and Illinois foaled horses
17 available. If, however, sufficient competition cannot be had
18 among horses of that class on any day, the races may, with
19 consent of the Board, be eliminated for that day and substitute
20 races provided.

21 (d) There is hereby created a special fund of the State
22 Treasury to be known as the Illinois Thoroughbred Breeders
23 Fund.

24 Except as provided in subsection (g) of Section 27 of this
25 Act, 8.5% of all the monies received by the State as privilege
26 taxes on Thoroughbred racing meetings shall be paid into the

1 Illinois Thoroughbred Breeders Fund.

2 (e) The Illinois Thoroughbred Breeders Fund shall be
3 administered by the Department of Agriculture with the advice
4 and assistance of the Advisory Board created in subsection (f)
5 of this Section.

6 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
7 shall consist of the Director of the Department of Agriculture,
8 who shall serve as Chairman; a member of the Illinois Racing
9 Board, designated by it; 2 representatives of the organization
10 licensees conducting thoroughbred racing meetings, recommended
11 by them; 2 representatives of the Illinois Thoroughbred
12 Breeders and Owners Foundation, recommended by it; and 2
13 representatives of the Horsemen's Benevolent Protective
14 Association or any successor organization established in
15 Illinois comprised of the largest number of owners and
16 trainers, recommended by it, with one representative of the
17 Horsemen's Benevolent and Protective Association to come from
18 its Illinois Division, and one from its Chicago Division.
19 Advisory Board members shall serve for 2 years commencing
20 January 1 of each odd numbered year. If representatives of the
21 organization licensees conducting thoroughbred racing
22 meetings, the Illinois Thoroughbred Breeders and Owners
23 Foundation, and the Horsemen's Benevolent Protection
24 Association have not been recommended by January 1, of each odd
25 numbered year, the Director of the Department of Agriculture
26 shall make an appointment for the organization failing to so

1 recommend a member of the Advisory Board. Advisory Board
2 members shall receive no compensation for their services as
3 members but shall be reimbursed for all actual and necessary
4 expenses and disbursements incurred in the execution of their
5 official duties.

6 (g) No monies shall be expended from the Illinois
7 Thoroughbred Breeders Fund except as appropriated by the
8 General Assembly. Monies appropriated from the Illinois
9 Thoroughbred Breeders Fund shall be expended by the Department
10 of Agriculture, with the advice and assistance of the Illinois
11 Thoroughbred Breeders Fund Advisory Board, for the following
12 purposes only:

13 (1) To provide purse supplements to owners of horses
14 participating in races limited to Illinois conceived and
15 foaled and Illinois foaled horses. Any such purse
16 supplements shall not be included in and shall be paid in
17 addition to any purses, stakes, or breeders' awards offered
18 by each organization licensee as determined by agreement
19 between such organization licensee and an organization
20 representing the horsemen. No monies from the Illinois
21 Thoroughbred Breeders Fund shall be used to provide purse
22 supplements for claiming races in which the minimum
23 claiming price is less than \$7,500.

24 (2) To provide stakes and awards to be paid to the
25 owners of the winning horses in certain races limited to
26 Illinois conceived and foaled and Illinois foaled horses

1 designated as stakes races.

2 (2.5) To provide an award to the owner or owners of an
3 Illinois conceived and foaled or Illinois foaled horse that
4 wins a maiden special weight, an allowance, overnight
5 handicap race, or claiming race with claiming price of
6 \$10,000 or more providing the race is not restricted to
7 Illinois conceived and foaled or Illinois foaled horses.
8 Awards shall also be provided to the owner or owners of
9 Illinois conceived and foaled and Illinois foaled horses
10 that place second or third in those races. To the extent
11 that additional moneys are required to pay the minimum
12 additional awards of 40% of the purse the horse earns for
13 placing first, second or third in those races for Illinois
14 foaled horses and of 60% of the purse the horse earns for
15 placing first, second or third in those races for Illinois
16 conceived and foaled horses, those moneys shall be provided
17 from the purse account at the track where earned.

18 (3) To provide stallion awards to the owner or owners
19 of any stallion that is duly registered with the Illinois
20 Thoroughbred Breeders Fund Program prior to the effective
21 date of this amendatory Act of 1995 whose duly registered
22 Illinois conceived and foaled offspring wins a race
23 conducted at an Illinois thoroughbred racing meeting other
24 than a claiming race. Such award shall not be paid to the
25 owner or owners of an Illinois stallion that served outside
26 this State at any time during the calendar year in which

1 such race was conducted.

2 (4) To provide \$75,000 annually for purses to be
3 distributed to county fairs that provide for the running of
4 races during each county fair exclusively for the
5 thoroughbreds conceived and foaled in Illinois. The
6 conditions of the races shall be developed by the county
7 fair association and reviewed by the Department with the
8 advice and assistance of the Illinois Thoroughbred
9 Breeders Fund Advisory Board. There shall be no wagering of
10 any kind on the running of Illinois conceived and foaled
11 races at county fairs.

12 (4.1) To provide purse money for an Illinois stallion
13 stakes program.

14 (5) No less than 80% of all monies appropriated from
15 the Illinois Thoroughbred Breeders Fund shall be expended
16 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and
17 (5) as shown above.

18 (6) To provide for educational programs regarding the
19 thoroughbred breeding industry.

20 (7) To provide for research programs concerning the
21 health, development and care of the thoroughbred horse.

22 (8) To provide for a scholarship and training program
23 for students of equine veterinary medicine.

24 (9) To provide for dissemination of public information
25 designed to promote the breeding of thoroughbred horses in
26 Illinois.

1 (10) To provide for all expenses incurred in the
2 administration of the Illinois Thoroughbred Breeders Fund.

3 (h) Whenever the Governor finds that the amount in the
4 Illinois Thoroughbred Breeders Fund is more than the total of
5 the outstanding appropriations from such fund, the Governor
6 shall notify the State Comptroller and the State Treasurer of
7 such fact. The Comptroller and the State Treasurer, upon
8 receipt of such notification, shall transfer such excess amount
9 from the Illinois Thoroughbred Breeders Fund to the General
10 Revenue Fund.

11 (i) A sum equal to 12 1/2% of the first prize money of
12 every purse won by an Illinois foaled or an Illinois conceived
13 and foaled horse in races not limited to Illinois foaled horses
14 or Illinois conceived and foaled horses, or both, shall be paid
15 by the organization licensee conducting the horse race meeting.
16 Such sum shall be paid from the organization licensee's share
17 of the money wagered as follows: 11 1/2% to the breeder of the
18 winning horse and 1% to the organization representing
19 thoroughbred breeders and owners whose representative serves
20 on the Illinois Thoroughbred Breeders Fund Advisory Board for
21 verifying the amounts of breeders' awards earned, assuring
22 their distribution in accordance with this Act, and servicing
23 and promoting the Illinois thoroughbred horse racing industry.
24 The organization representing thoroughbred breeders and owners
25 shall cause all expenditures of monies received under this
26 subsection (i) to be audited at least annually by a registered

1 public accountant. The organization shall file copies of each
2 annual audit with the Racing Board, the Clerk of the House of
3 Representatives and the Secretary of the Senate, and shall make
4 copies of each annual audit available to the public upon
5 request and upon payment of the reasonable cost of photocopying
6 the requested number of copies. Such payments shall not reduce
7 any award to the owner of the horse or reduce the taxes payable
8 under this Act. Upon completion of its racing meet, each
9 organization licensee shall deliver to the organization
10 representing thoroughbred breeders and owners whose
11 representative serves on the Illinois Thoroughbred Breeders
12 Fund Advisory Board a listing of all the Illinois foaled and
13 the Illinois conceived and foaled horses which won breeders'
14 awards and the amount of such breeders' awards under this
15 subsection to verify accuracy of payments and assure proper
16 distribution of breeders' awards in accordance with the
17 provisions of this Act. Such payments shall be delivered by the
18 organization licensee within 30 days of the end of each race
19 meeting.

20 (j) A sum equal to 12 1/2% of the first prize money won in
21 each race limited to Illinois foaled horses or Illinois
22 conceived and foaled horses, or both, shall be paid in the
23 following manner by the organization licensee conducting the
24 horse race meeting, from the organization licensee's share of
25 the money wagered: 11 1/2% to the breeders of the horses in
26 each such race which are the official first, second, third and

1 fourth finishers and 1% to the organization representing
2 thoroughbred breeders and owners whose representative serves
3 on the Illinois Thoroughbred Breeders Fund Advisory Board for
4 verifying the amounts of breeders' awards earned, assuring
5 their proper distribution in accordance with this Act, and
6 servicing and promoting the Illinois thoroughbred horse racing
7 industry. The organization representing thoroughbred breeders
8 and owners shall cause all expenditures of monies received
9 under this subsection (j) to be audited at least annually by a
10 registered public accountant. The organization shall file
11 copies of each annual audit with the Racing Board, the Clerk of
12 the House of Representatives and the Secretary of the Senate,
13 and shall make copies of each annual audit available to the
14 public upon request and upon payment of the reasonable cost of
15 photocopying the requested number of copies.

16 The 11 1/2% paid to the breeders in accordance with this
17 subsection shall be distributed as follows:

18 (1) 60% of such sum shall be paid to the breeder of the
19 horse which finishes in the official first position;

20 (2) 20% of such sum shall be paid to the breeder of the
21 horse which finishes in the official second position;

22 (3) 15% of such sum shall be paid to the breeder of the
23 horse which finishes in the official third position; and

24 (4) 5% of such sum shall be paid to the breeder of the
25 horse which finishes in the official fourth position.

26 Such payments shall not reduce any award to the owners of a

1 horse or reduce the taxes payable under this Act. Upon
2 completion of its racing meet, each organization licensee shall
3 deliver to the organization representing thoroughbred breeders
4 and owners whose representative serves on the Illinois
5 Thoroughbred Breeders Fund Advisory Board a listing of all the
6 Illinois foaled and the Illinois conceived and foaled horses
7 which won breeders' awards and the amount of such breeders'
8 awards in accordance with the provisions of this Act. Such
9 payments shall be delivered by the organization licensee within
10 30 days of the end of each race meeting.

11 (k) The term "breeder", as used herein, means the owner of
12 the mare at the time the foal is dropped. An "Illinois foaled
13 horse" is a foal dropped by a mare which enters this State on
14 or before December 1, in the year in which the horse is bred,
15 provided the mare remains continuously in this State until its
16 foal is born. An "Illinois foaled horse" also means a foal born
17 of a mare in the same year as the mare enters this State on or
18 before March 1, and remains in this State at least 30 days
19 after foaling, is bred back during the season of the foaling to
20 an Illinois Registered Stallion (unless a veterinarian
21 certifies that the mare should not be bred for health reasons),
22 and is not bred to a stallion standing in any other state
23 during the season of foaling. An "Illinois foaled horse" also
24 means a foal born in Illinois of a mare purchased at public
25 auction subsequent to the mare entering this State prior to
26 February 1 of the foaling year providing the mare is owned

1 solely by one or more Illinois residents or an Illinois entity
2 that is entirely owned by one or more Illinois residents.

3 (1) The Department of Agriculture shall, by rule, with the
4 advice and assistance of the Illinois Thoroughbred Breeders
5 Fund Advisory Board:

6 (1) Qualify stallions for Illinois breeding; such
7 stallions to stand for service within the State of Illinois
8 at the time of a foal's conception. Such stallion must not
9 stand for service at any place outside the State of
10 Illinois during the calendar year in which the foal is
11 conceived. The Department of Agriculture may assess and
12 collect application fees for the registration of
13 Illinois-eligible stallions. All fees collected are to be
14 paid into the Illinois Thoroughbred Breeders Fund.

15 (2) Provide for the registration of Illinois conceived
16 and foaled horses and Illinois foaled horses. No such horse
17 shall compete in the races limited to Illinois conceived
18 and foaled horses or Illinois foaled horses or both unless
19 registered with the Department of Agriculture. The
20 Department of Agriculture may prescribe such forms as are
21 necessary to determine the eligibility of such horses. The
22 Department of Agriculture may assess and collect
23 application fees for the registration of Illinois-eligible
24 foals. All fees collected are to be paid into the Illinois
25 Thoroughbred Breeders Fund. No person shall knowingly
26 prepare or cause preparation of an application for

1 registration of such foals containing false information.

2 (m) The Department of Agriculture, with the advice and
3 assistance of the Illinois Thoroughbred Breeders Fund Advisory
4 Board, shall provide that certain races limited to Illinois
5 conceived and foaled and Illinois foaled horses be stakes races
6 and determine the total amount of stakes and awards to be paid
7 to the owners of the winning horses in such races.

8 In determining the stakes races and the amount of awards
9 for such races, the Department of Agriculture shall consider
10 factors, including but not limited to, the amount of money
11 appropriated for the Illinois Thoroughbred Breeders Fund
12 program, organization licensees' contributions, availability
13 of stakes caliber horses as demonstrated by past performances,
14 whether the race can be coordinated into the proposed racing
15 dates within organization licensees' racing dates, opportunity
16 for colts and fillies and various age groups to race, public
17 wagering on such races, and the previous racing schedule.

18 (n) The Board and the organizational licensee shall notify
19 the Department of the conditions and minimum purses for races
20 limited to Illinois conceived and foaled and Illinois foaled
21 horses conducted for each organizational licensee conducting a
22 thoroughbred racing meeting. The Department of Agriculture
23 with the advice and assistance of the Illinois Thoroughbred
24 Breeders Fund Advisory Board may allocate monies for purse
25 supplements for such races. In determining whether to allocate
26 money and the amount, the Department of Agriculture shall

1 consider factors, including but not limited to, the amount of
2 money appropriated for the Illinois Thoroughbred Breeders Fund
3 program, the number of races that may occur, and the
4 organizational licensee's purse structure.

5 (o) (Blank). ~~In order to improve the breeding quality of~~
6 ~~thoroughbred horses in the State, the General Assembly~~
7 ~~recognizes that existing provisions of this Section to~~
8 ~~encourage such quality breeding need to be revised and~~
9 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~
10 ~~Force is to be appointed by the Governor by September 1, 1999~~
11 ~~to make recommendations to the General Assembly by no later~~
12 ~~than March 1, 2000. This task force is to be composed of 2~~
13 ~~representatives from the Illinois Thoroughbred Breeders and~~
14 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~
15 ~~Association, 3 from Illinois race tracks operating~~
16 ~~thoroughbred race meets for an average of at least 30 days in~~
17 ~~the past 3 years, the Director of Agriculture, the Executive~~
18 ~~Director of the Racing Board, who shall serve as Chairman.~~

19 (Source: P.A. 91-40, eff. 6-25-99.)

20 Section 120. The Liquor Control Act of 1934 is amended by
21 changing Section 6-15 as follows:

22 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

23 Sec. 6-15. No alcoholic liquors shall be sold or delivered
24 in any building belonging to or under the control of the State

1 or any political subdivision thereof except as provided in this
2 Act. The corporate authorities of any city, village,
3 incorporated town, township, or county may provide by
4 ordinance, however, that alcoholic liquor may be sold or
5 delivered in any specifically designated building belonging to
6 or under the control of the municipality, township, or county,
7 or in any building located on land under the control of the
8 municipality, township, or county; provided that such township
9 or county complies with all applicable local ordinances in any
10 incorporated area of the township or county. Alcoholic liquor
11 may be delivered to and sold under the authority of a special
12 use permit on any property owned by a conservation district
13 organized under the Conservation District Act, provided that
14 (i) the alcoholic liquor is sold only at an event authorized by
15 the governing board of the conservation district, (ii) the
16 issuance of the special use permit is authorized by the local
17 liquor control commissioner of the territory in which the
18 property is located, and (iii) the special use permit
19 authorizes the sale of alcoholic liquor for one day or less.
20 Alcoholic liquors may be delivered to and sold at any airport
21 belonging to or under the control of a municipality of more
22 than 25,000 inhabitants, or in any building or on any golf
23 course owned by a park district organized under the Park
24 District Code, subject to the approval of the governing board
25 of the district, or in any building or on any golf course owned
26 by a forest preserve district organized under the Downstate

1 Forest Preserve District Act, subject to the approval of the
2 governing board of the district, or on the grounds within 500
3 feet of any building owned by a forest preserve district
4 organized under the Downstate Forest Preserve District Act
5 during times when food is dispensed for consumption within 500
6 feet of the building from which the food is dispensed, subject
7 to the approval of the governing board of the district, or in a
8 building owned by a Local Mass Transit District organized under
9 the Local Mass Transit District Act, subject to the approval of
10 the governing Board of the District, or in Bicentennial Park,
11 or on the premises of the City of Mendota Lake Park located
12 adjacent to Route 51 in Mendota, Illinois, or on the premises
13 of Camden Park in Milan, Illinois, or in the community center
14 owned by the City of Loves Park that is located at 1000 River
15 Park Drive in Loves Park, Illinois, or, in connection with the
16 operation of an established food serving facility during times
17 when food is dispensed for consumption on the premises, and at
18 the following aquarium and museums located in public parks: Art
19 Institute of Chicago, Chicago Academy of Sciences, Chicago
20 Historical Society, Field Museum of Natural History, Museum of
21 Science and Industry, DuSable Museum of African American
22 History, John G. Shedd Aquarium and Adler Planetarium, or at
23 Lakeview Museum of Arts and Sciences in Peoria, or in
24 connection with the operation of the facilities of the Chicago
25 Zoological Society or the Chicago Horticultural Society on land
26 owned by the Forest Preserve District of Cook County, or on any

1 land used for a golf course or for recreational purposes owned
2 by the Forest Preserve District of Cook County, subject to the
3 control of the Forest Preserve District Board of Commissioners
4 and applicable local law, provided that dram shop liability
5 insurance is provided at maximum coverage limits so as to hold
6 the District harmless from all financial loss, damage, and
7 harm, or in any building located on land owned by the Chicago
8 Park District if approved by the Park District Commissioners,
9 or on any land used for a golf course or for recreational
10 purposes and owned by the Illinois International Port District
11 if approved by the District's governing board, or at any
12 airport, golf course, faculty center, or facility in which
13 conference and convention type activities take place belonging
14 to or under control of any State university or public community
15 college district, provided that with respect to a facility for
16 conference and convention type activities alcoholic liquors
17 shall be limited to the use of the convention or conference
18 participants or participants in cultural, political or
19 educational activities held in such facilities, and provided
20 further that the faculty or staff of the State university or a
21 public community college district, or members of an
22 organization of students, alumni, faculty or staff of the State
23 university or a public community college district are active
24 participants in the conference or convention, or in Memorial
25 Stadium on the campus of the University of Illinois at
26 Urbana-Champaign during games in which the Chicago Bears

1 professional football team is playing in that stadium during
2 the renovation of Soldier Field, not more than one and a half
3 hours before the start of the game and not after the end of the
4 third quarter of the game, or in the Pavilion Facility on the
5 campus of the University of Illinois at Chicago during games in
6 which the Chicago Storm professional soccer team is playing in
7 that facility, not more than one and a half hours before the
8 start of the game and not after the end of the third quarter of
9 the game, or in the Pavilion Facility on the campus of the
10 University of Illinois at Chicago during games in which the
11 WNBA professional women's basketball team is playing in that
12 facility, not more than one and a half hours before the start
13 of the game and not after the 10-minute mark of the second half
14 of the game, or by a catering establishment which has rented
15 facilities from a board of trustees of a public community
16 college district, or in a restaurant that is operated by a
17 commercial tenant in the North Campus Parking Deck building
18 that (1) is located at 1201 West University Avenue, Urbana,
19 Illinois and (2) is owned by the Board of Trustees of the
20 University of Illinois, or, if approved by the District board,
21 on land owned by the Metropolitan Sanitary District of Greater
22 Chicago and leased to others for a term of at least 20 years.
23 Nothing in this Section precludes the sale or delivery of
24 alcoholic liquor in the form of original packaged goods in
25 premises located at 500 S. Racine in Chicago belonging to the
26 University of Illinois and used primarily as a grocery store by

1 a commercial tenant during the term of a lease that predates
2 the University's acquisition of the premises; but the
3 University shall have no power or authority to renew, transfer,
4 or extend the lease with terms allowing the sale of alcoholic
5 liquor; and the sale of alcoholic liquor shall be subject to
6 all local laws and regulations. After the acquisition by
7 Winnebago County of the property located at 404 Elm Street in
8 Rockford, a commercial tenant who sold alcoholic liquor at
9 retail on a portion of the property under a valid license at
10 the time of the acquisition may continue to do so for so long
11 as the tenant and the County may agree under existing or future
12 leases, subject to all local laws and regulations regarding the
13 sale of alcoholic liquor. Alcoholic liquors may be delivered to
14 and sold at Memorial Hall, located at 211 North Main Street,
15 Rockford, under conditions approved by Winnebago County and
16 subject to all local laws and regulations regarding the sale of
17 alcoholic liquor. Each facility shall provide dram shop
18 liability in maximum insurance coverage limits so as to save
19 harmless the State, municipality, State university, airport,
20 golf course, faculty center, facility in which conference and
21 convention type activities take place, park district, Forest
22 Preserve District, public community college district,
23 aquarium, museum, or sanitary district from all financial loss,
24 damage or harm. Alcoholic liquors may be sold at retail in
25 buildings of golf courses owned by municipalities or Illinois
26 State University in connection with the operation of an

1 established food serving facility during times when food is
2 dispensed for consumption upon the premises. Alcoholic liquors
3 may be delivered to and sold at retail in any building owned by
4 a fire protection district organized under the Fire Protection
5 District Act, provided that such delivery and sale is approved
6 by the board of trustees of the district, and provided further
7 that such delivery and sale is limited to fundraising events
8 and to a maximum of 6 events per year. However, the limitation
9 to fundraising events and to a maximum of 6 events per year
10 does not apply to the delivery, sale, or manufacture of
11 alcoholic liquors at the building located at 59 Main Street in
12 Oswego, Illinois, owned by the Oswego Fire Protection District
13 if the alcoholic liquor is sold or dispensed as approved by the
14 Oswego Fire Protection District and the property is no longer
15 being utilized for fire protection purposes.

16 Alcoholic liquors may be served or sold in buildings under
17 the control of the Board of Trustees of the University of
18 Illinois for events that the Board may determine are public
19 events and not related student activities. The Board of
20 Trustees shall issue a written policy within 6 months of the
21 effective date of this amendatory Act of the 95th General
22 Assembly concerning the types of events that would be eligible
23 for an exemption. Thereafter, the Board of Trustees may issue
24 revised, updated, new, or amended policies as it deems
25 necessary and appropriate. In preparing its written policy, the
26 Board of Trustees shall, among other factors it considers

1 relevant and important, give consideration to the following:
2 (i) whether the event is a student activity or student related
3 activity; (ii) whether the physical setting of the event is
4 conducive to control of liquor sales and distribution; (iii)
5 the ability of the event operator to ensure that the sale or
6 serving of alcoholic liquors and the demeanor of the
7 participants are in accordance with State law and University
8 policies; (iv) regarding the anticipated attendees at the
9 event, the relative proportion of individuals under the age of
10 21 to individuals age 21 or older; (v) the ability of the venue
11 operator to prevent the sale or distribution of alcoholic
12 liquors to individuals under the age of 21; (vi) whether the
13 event prohibits participants from removing alcoholic beverages
14 from the venue; and (vii) whether the event prohibits
15 participants from providing their own alcoholic liquors to the
16 venue. In addition, any policy submitted by the Board of
17 Trustees to the Illinois Liquor Control Commission must require
18 that any event at which alcoholic liquors are served or sold in
19 buildings under the control of the Board of Trustees shall
20 require the prior written approval of the Office of the
21 Chancellor for the University campus where the event is
22 located. The Board of Trustees shall submit its policy, and any
23 subsequently revised, updated, new, or amended policies, to the
24 Illinois Liquor Control Commission, and any University event,
25 or location for an event, exempted under such policies shall
26 apply for a license under the applicable Sections of this Act.

1 Alcoholic liquors may be served or sold in buildings under
2 the control of the Board of Trustees of Northern Illinois
3 University for events that the Board may determine are public
4 events and not student-related activities. The Board of
5 Trustees shall issue a written policy within 6 months after
6 June 28, 2011 (the effective date of Public Act 97-45)
7 concerning the types of events that would be eligible for an
8 exemption. Thereafter, the Board of Trustees may issue revised,
9 updated, new, or amended policies as it deems necessary and
10 appropriate. In preparing its written policy, the Board of
11 Trustees shall, in addition to other factors it considers
12 relevant and important, give consideration to the following:
13 (i) whether the event is a student activity or student-related
14 activity; (ii) whether the physical setting of the event is
15 conducive to control of liquor sales and distribution; (iii)
16 the ability of the event operator to ensure that the sale or
17 serving of alcoholic liquors and the demeanor of the
18 participants are in accordance with State law and University
19 policies; (iv) the anticipated attendees at the event and the
20 relative proportion of individuals under the age of 21 to
21 individuals age 21 or older; (v) the ability of the venue
22 operator to prevent the sale or distribution of alcoholic
23 liquors to individuals under the age of 21; (vi) whether the
24 event prohibits participants from removing alcoholic beverages
25 from the venue; and (vii) whether the event prohibits
26 participants from providing their own alcoholic liquors to the

1 venue.

2 Alcoholic liquors may be served or sold in buildings under
3 the control of the Board of Trustees of Chicago State
4 University for events that the Board may determine are public
5 events and not student-related activities. The Board of
6 Trustees shall issue a written policy within 6 months after
7 August 2, 2013 (the effective date of Public Act 98-132) ~~this~~
8 ~~amendatory Act of the 98th General Assembly~~ concerning the
9 types of events that would be eligible for an exemption.
10 Thereafter, the Board of Trustees may issue revised, updated,
11 new, or amended policies as it deems necessary and appropriate.
12 In preparing its written policy, the Board of Trustees shall,
13 in addition to other factors it considers relevant and
14 important, give consideration to the following: (i) whether the
15 event is a student activity or student-related activity; (ii)
16 whether the physical setting of the event is conducive to
17 control of liquor sales and distribution; (iii) the ability of
18 the event operator to ensure that the sale or serving of
19 alcoholic liquors and the demeanor of the participants are in
20 accordance with State law and University policies; (iv) the
21 anticipated attendees at the event and the relative proportion
22 of individuals under the age of 21 to individuals age 21 or
23 older; (v) the ability of the venue operator to prevent the
24 sale or distribution of alcoholic liquors to individuals under
25 the age of 21; (vi) whether the event prohibits participants
26 from removing alcoholic beverages from the venue; and (vii)

1 whether the event prohibits participants from providing their
2 own alcoholic liquors to the venue.

3 Alcoholic liquors may be served or sold in buildings under
4 the control of the Board of Trustees of Illinois State
5 University for events that the Board may determine are public
6 events and not student-related activities. The Board of
7 Trustees shall issue a written policy within 6 months after the
8 effective date of this amendatory Act of the 97th General
9 Assembly concerning the types of events that would be eligible
10 for an exemption. Thereafter, the Board of Trustees may issue
11 revised, updated, new, or amended policies as it deems
12 necessary and appropriate. In preparing its written policy, the
13 Board of Trustees shall, in addition to other factors it
14 considers relevant and important, give consideration to the
15 following: (i) whether the event is a student activity or
16 student-related activity; (ii) whether the physical setting of
17 the event is conducive to control of liquor sales and
18 distribution; (iii) the ability of the event operator to ensure
19 that the sale or serving of alcoholic liquors and the demeanor
20 of the participants are in accordance with State law and
21 University policies; (iv) the anticipated attendees at the
22 event and the relative proportion of individuals under the age
23 of 21 to individuals age 21 or older; (v) the ability of the
24 venue operator to prevent the sale or distribution of alcoholic
25 liquors to individuals under the age of 21; (vi) whether the
26 event prohibits participants from removing alcoholic beverages

1 from the venue; and (vii) whether the event prohibits
2 participants from providing their own alcoholic liquors to the
3 venue.

4 Alcoholic liquor may be delivered to and sold at retail in
5 the Dorchester Senior Business Center owned by the Village of
6 Dolton if the alcoholic liquor is sold or dispensed only in
7 connection with organized functions for which the planned
8 attendance is 20 or more persons, and if the person or facility
9 selling or dispensing the alcoholic liquor has provided dram
10 shop liability insurance in maximum limits so as to hold
11 harmless the Village of Dolton and the State from all financial
12 loss, damage and harm.

13 Alcoholic liquors may be delivered to and sold at retail in
14 any building used as an Illinois State Armory provided:

15 (i) the Adjutant General's written consent to the
16 issuance of a license to sell alcoholic liquor in such
17 building is filed with the Commission;

18 (ii) the alcoholic liquor is sold or dispensed only in
19 connection with organized functions held on special
20 occasions;

21 (iii) the organized function is one for which the
22 planned attendance is 25 or more persons; and

23 (iv) the facility selling or dispensing the alcoholic
24 liquors has provided dram shop liability insurance in
25 maximum limits so as to save harmless the facility and the
26 State from all financial loss, damage or harm.

1 Alcoholic liquors may be delivered to and sold at retail in
2 the Chicago Civic Center, provided that:

3 (i) the written consent of the Public Building
4 Commission which administers the Chicago Civic Center is
5 filed with the Commission;

6 (ii) the alcoholic liquor is sold or dispensed only in
7 connection with organized functions held on special
8 occasions;

9 (iii) the organized function is one for which the
10 planned attendance is 25 or more persons;

11 (iv) the facility selling or dispensing the alcoholic
12 liquors has provided dram shop liability insurance in
13 maximum limits so as to hold harmless the Civic Center, the
14 City of Chicago and the State from all financial loss,
15 damage or harm; and

16 (v) all applicable local ordinances are complied with.

17 Alcoholic liquors may be delivered or sold in any building
18 belonging to or under the control of any city, village or
19 incorporated town where more than 75% of the physical
20 properties of the building is used for commercial or
21 recreational purposes, and the building is located upon a pier
22 extending into or over the waters of a navigable lake or stream
23 or on the shore of a navigable lake or stream. In accordance
24 with a license issued under this Act, alcoholic liquor may be
25 sold, served, or delivered in buildings and facilities under
26 the control of the Department of Natural Resources during

1 events or activities lasting no more than 7 continuous days
2 upon the written approval of the Director of Natural Resources
3 acting as the controlling government authority. The Director of
4 Natural Resources may specify conditions on that approval,
5 including but not limited to requirements for insurance and
6 hours of operation. Notwithstanding any other provision of this
7 Act, alcoholic liquor sold by a United States Army Corps of
8 Engineers or Department of Natural Resources concessionaire
9 who was operating on June 1, 1991 for on-premises consumption
10 only is not subject to the provisions of Articles IV and IX.
11 Beer and wine may be sold on the premises of the Joliet Park
12 District Stadium owned by the Joliet Park District when written
13 consent to the issuance of a license to sell beer and wine in
14 such premises is filed with the local liquor commissioner by
15 the Joliet Park District. Beer and wine may be sold in
16 buildings on the grounds of State veterans' homes when written
17 consent to the issuance of a license to sell beer and wine in
18 such buildings is filed with the Commission by the Department
19 of Veterans' Affairs, and the facility shall provide dram shop
20 liability in maximum insurance coverage limits so as to save
21 the facility harmless from all financial loss, damage or harm.
22 Such liquors may be delivered to and sold at any property owned
23 or held under lease by a Metropolitan Pier and Exposition
24 Authority or Metropolitan Exposition and Auditorium Authority.

25 Beer and wine may be sold and dispensed at professional
26 sporting events and at professional concerts and other

1 entertainment events conducted on premises owned by the Forest
2 Preserve District of Kane County, subject to the control of the
3 District Commissioners and applicable local law, provided that
4 dram shop liability insurance is provided at maximum coverage
5 limits so as to hold the District harmless from all financial
6 loss, damage and harm.

7 Nothing in this Section shall preclude the sale or delivery
8 of beer and wine at a State or county fair or the sale or
9 delivery of beer or wine at a city fair in any otherwise lawful
10 manner.

11 Alcoholic liquors may be sold at retail in buildings in
12 State parks under the control of the Department of Natural
13 Resources, provided:

14 a. the State park has overnight lodging facilities with
15 some restaurant facilities or, not having overnight
16 lodging facilities, has restaurant facilities which serve
17 complete luncheon and dinner or supper meals,

18 b. (blank), and ~~consent to the issuance of a license to~~
19 ~~sell alcoholic liquors in the buildings has been filed with~~
20 ~~the commission by the Department of Natural Resources, and~~

21 c. the alcoholic liquors are sold by the State park
22 lodge or restaurant concessionaire only during the hours
23 from 11 o'clock a.m. until 12 o'clock midnight.
24 Notwithstanding any other provision of this Act, alcoholic
25 liquor sold by the State park or restaurant concessionaire
26 is not subject to the provisions of Articles IV and IX.

1 Alcoholic liquors may be sold at retail in buildings on
2 properties under the control of the Historic Sites and
3 Preservation Division of the Historic Preservation Agency or
4 the Abraham Lincoln Presidential Library and Museum provided:

5 a. the property has overnight lodging facilities with
6 some restaurant facilities or, not having overnight
7 lodging facilities, has restaurant facilities which serve
8 complete luncheon and dinner or supper meals,

9 b. consent to the issuance of a license to sell
10 alcoholic liquors in the buildings has been filed with the
11 commission by the Historic Sites and Preservation Division
12 of the Historic Preservation Agency or the Abraham Lincoln
13 Presidential Library and Museum, and

14 c. the alcoholic liquors are sold by the lodge or
15 restaurant concessionaire only during the hours from 11
16 o'clock a.m. until 12 o'clock midnight.

17 The sale of alcoholic liquors pursuant to this Section does
18 not authorize the establishment and operation of facilities
19 commonly called taverns, saloons, bars, cocktail lounges, and
20 the like except as a part of lodge and restaurant facilities in
21 State parks or golf courses owned by Forest Preserve Districts
22 with a population of less than 3,000,000 or municipalities or
23 park districts.

24 Alcoholic liquors may be sold at retail in the Springfield
25 Administration Building of the Department of Transportation
26 and the Illinois State Armory in Springfield; provided, that

1 the controlling government authority may consent to such sales
2 only if

3 a. the request is from a not-for-profit organization;

4 b. such sales would not impede normal operations of the
5 departments involved;

6 c. the not-for-profit organization provides dram shop
7 liability in maximum insurance coverage limits and agrees
8 to defend, save harmless and indemnify the State of
9 Illinois from all financial loss, damage or harm;

10 d. no such sale shall be made during normal working
11 hours of the State of Illinois; and

12 e. the consent is in writing.

13 Alcoholic liquors may be sold at retail in buildings in
14 recreational areas of river conservancy districts under the
15 control of, or leased from, the river conservancy districts.
16 Such sales are subject to reasonable local regulations as
17 provided in Article IV; however, no such regulations may
18 prohibit or substantially impair the sale of alcoholic liquors
19 on Sundays or Holidays.

20 Alcoholic liquors may be provided in long term care
21 facilities owned or operated by a county under Division 5-21 or
22 5-22 of the Counties Code, when approved by the facility
23 operator and not in conflict with the regulations of the
24 Illinois Department of Public Health, to residents of the
25 facility who have had their consumption of the alcoholic
26 liquors provided approved in writing by a physician licensed to

1 practice medicine in all its branches.

2 Alcoholic liquors may be delivered to and dispensed in
3 State housing assigned to employees of the Department of
4 Corrections. No person shall furnish or allow to be furnished
5 any alcoholic liquors to any prisoner confined in any jail,
6 reformatory, prison or house of correction except upon a
7 physician's prescription for medicinal purposes.

8 Alcoholic liquors may be sold at retail or dispensed at the
9 Willard Ice Building in Springfield, at the State Library in
10 Springfield, and at Illinois State Museum facilities by (1) an
11 agency of the State, whether legislative, judicial or
12 executive, provided that such agency first obtains written
13 permission to sell or dispense alcoholic liquors from the
14 controlling government authority, or by (2) a not-for-profit
15 organization, provided that such organization:

16 a. Obtains written consent from the controlling
17 government authority;

18 b. Sells or dispenses the alcoholic liquors in a manner
19 that does not impair normal operations of State offices
20 located in the building;

21 c. Sells or dispenses alcoholic liquors only in
22 connection with an official activity in the building;

23 d. Provides, or its catering service provides, dram
24 shop liability insurance in maximum coverage limits and in
25 which the carrier agrees to defend, save harmless and
26 indemnify the State of Illinois from all financial loss,

1 damage or harm arising out of the selling or dispensing of
2 alcoholic liquors.

3 Nothing in this Act shall prevent a not-for-profit
4 organization or agency of the State from employing the services
5 of a catering establishment for the selling or dispensing of
6 alcoholic liquors at authorized functions.

7 The controlling government authority for the Willard Ice
8 Building in Springfield shall be the Director of the Department
9 of Revenue. The controlling government authority for Illinois
10 State Museum facilities shall be the Director of the Illinois
11 State Museum. The controlling government authority for the
12 State Library in Springfield shall be the Secretary of State.

13 Alcoholic liquors may be delivered to and sold at retail or
14 dispensed at any facility, property or building under the
15 jurisdiction of the Historic Sites and Preservation Division of
16 the Historic Preservation Agency or the Abraham Lincoln
17 Presidential Library and Museum where the delivery, sale or
18 dispensing is by (1) an agency of the State, whether
19 legislative, judicial or executive, provided that such agency
20 first obtains written permission to sell or dispense alcoholic
21 liquors from a controlling government authority, or by (2) an
22 individual or organization provided that such individual or
23 organization:

24 a. Obtains written consent from the controlling
25 government authority;

26 b. Sells or dispenses the alcoholic liquors in a manner

1 that does not impair normal workings of State offices or
2 operations located at the facility, property or building;

3 c. Sells or dispenses alcoholic liquors only in
4 connection with an official activity of the individual or
5 organization in the facility, property or building;

6 d. Provides, or its catering service provides, dram
7 shop liability insurance in maximum coverage limits and in
8 which the carrier agrees to defend, save harmless and
9 indemnify the State of Illinois from all financial loss,
10 damage or harm arising out of the selling or dispensing of
11 alcoholic liquors.

12 The controlling government authority for the Historic
13 Sites and Preservation Division of the Historic Preservation
14 Agency shall be the Director of the Historic Sites and
15 Preservation, and the controlling government authority for the
16 Abraham Lincoln Presidential Library and Museum shall be the
17 Director of the Abraham Lincoln Presidential Library and
18 Museum.

19 Alcoholic liquors may be delivered to and sold at retail or
20 dispensed for consumption at the Michael Bilandic Building at
21 160 North LaSalle Street, Chicago IL 60601, after the normal
22 business hours of any day care or child care facility located
23 in the building, by (1) a commercial tenant or subtenant
24 conducting business on the premises under a lease made pursuant
25 to Section 405-315 of the Department of Central Management
26 Services Law (20 ILCS 405/405-315), provided that such tenant

1 or subtenant who accepts delivery of, sells, or dispenses
2 alcoholic liquors shall procure and maintain dram shop
3 liability insurance in maximum coverage limits and in which the
4 carrier agrees to defend, indemnify, and save harmless the
5 State of Illinois from all financial loss, damage, or harm
6 arising out of the delivery, sale, or dispensing of alcoholic
7 liquors, or by (2) an agency of the State, whether legislative,
8 judicial, or executive, provided that such agency first obtains
9 written permission to accept delivery of and sell or dispense
10 alcoholic liquors from the Director of Central Management
11 Services, or by (3) a not-for-profit organization, provided
12 that such organization:

13 a. obtains written consent from the Department of
14 Central Management Services;

15 b. accepts delivery of and sells or dispenses the
16 alcoholic liquors in a manner that does not impair normal
17 operations of State offices located in the building;

18 c. accepts delivery of and sells or dispenses alcoholic
19 liquors only in connection with an official activity in the
20 building; and

21 d. provides, or its catering service provides, dram
22 shop liability insurance in maximum coverage limits and in
23 which the carrier agrees to defend, save harmless, and
24 indemnify the State of Illinois from all financial loss,
25 damage, or harm arising out of the selling or dispensing of
26 alcoholic liquors.

1 Nothing in this Act shall prevent a not-for-profit
2 organization or agency of the State from employing the services
3 of a catering establishment for the selling or dispensing of
4 alcoholic liquors at functions authorized by the Director of
5 Central Management Services.

6 Alcoholic liquors may be sold at retail or dispensed at the
7 James R. Thompson Center in Chicago, subject to the provisions
8 of Section 7.4 of the State Property Control Act, and 222 South
9 College Street in Springfield, Illinois by (1) a commercial
10 tenant or subtenant conducting business on the premises under a
11 lease or sublease made pursuant to Section 405-315 of the
12 Department of Central Management Services Law (20 ILCS
13 405/405-315), provided that such tenant or subtenant who sells
14 or dispenses alcoholic liquors shall procure and maintain dram
15 shop liability insurance in maximum coverage limits and in
16 which the carrier agrees to defend, indemnify and save harmless
17 the State of Illinois from all financial loss, damage or harm
18 arising out of the sale or dispensing of alcoholic liquors, or
19 by (2) an agency of the State, whether legislative, judicial or
20 executive, provided that such agency first obtains written
21 permission to sell or dispense alcoholic liquors from the
22 Director of Central Management Services, or by (3) a
23 not-for-profit organization, provided that such organization:

24 a. Obtains written consent from the Department of
25 Central Management Services;

26 b. Sells or dispenses the alcoholic liquors in a manner

1 that does not impair normal operations of State offices
2 located in the building;

3 c. Sells or dispenses alcoholic liquors only in
4 connection with an official activity in the building;

5 d. Provides, or its catering service provides, dram
6 shop liability insurance in maximum coverage limits and in
7 which the carrier agrees to defend, save harmless and
8 indemnify the State of Illinois from all financial loss,
9 damage or harm arising out of the selling or dispensing of
10 alcoholic liquors.

11 Nothing in this Act shall prevent a not-for-profit
12 organization or agency of the State from employing the services
13 of a catering establishment for the selling or dispensing of
14 alcoholic liquors at functions authorized by the Director of
15 Central Management Services.

16 Alcoholic liquors may be sold or delivered at any facility
17 owned by the Illinois Sports Facilities Authority provided that
18 dram shop liability insurance has been made available in a
19 form, with such coverage and in such amounts as the Authority
20 reasonably determines is necessary.

21 Alcoholic liquors may be sold at retail or dispensed at the
22 Rockford State Office Building by (1) an agency of the State,
23 whether legislative, judicial or executive, provided that such
24 agency first obtains written permission to sell or dispense
25 alcoholic liquors from the Department of Central Management
26 Services, or by (2) a not-for-profit organization, provided

1 that such organization:

2 a. Obtains written consent from the Department of
3 Central Management Services;

4 b. Sells or dispenses the alcoholic liquors in a manner
5 that does not impair normal operations of State offices
6 located in the building;

7 c. Sells or dispenses alcoholic liquors only in
8 connection with an official activity in the building;

9 d. Provides, or its catering service provides, dram
10 shop liability insurance in maximum coverage limits and in
11 which the carrier agrees to defend, save harmless and
12 indemnify the State of Illinois from all financial loss,
13 damage or harm arising out of the selling or dispensing of
14 alcoholic liquors.

15 Nothing in this Act shall prevent a not-for-profit
16 organization or agency of the State from employing the services
17 of a catering establishment for the selling or dispensing of
18 alcoholic liquors at functions authorized by the Department of
19 Central Management Services.

20 Alcoholic liquors may be sold or delivered in a building
21 that is owned by McLean County, situated on land owned by the
22 county in the City of Bloomington, and used by the McLean
23 County Historical Society if the sale or delivery is approved
24 by an ordinance adopted by the county board, and the
25 municipality in which the building is located may not prohibit
26 that sale or delivery, notwithstanding any other provision of

1 this Section. The regulation of the sale and delivery of
2 alcoholic liquor in a building that is owned by McLean County,
3 situated on land owned by the county, and used by the McLean
4 County Historical Society as provided in this paragraph is an
5 exclusive power and function of the State and is a denial and
6 limitation under Article VII, Section 6, subsection (h) of the
7 Illinois Constitution of the power of a home rule municipality
8 to regulate that sale and delivery.

9 Alcoholic liquors may be sold or delivered in any building
10 situated on land held in trust for any school district
11 organized under Article 34 of the School Code, if the building
12 is not used for school purposes and if the sale or delivery is
13 approved by the board of education.

14 Alcoholic liquors may be sold or delivered in buildings
15 owned by the Community Building Complex Committee of Boone
16 County, Illinois if the person or facility selling or
17 dispensing the alcoholic liquor has provided dram shop
18 liability insurance with coverage and in amounts that the
19 Committee reasonably determines are necessary.

20 Alcoholic liquors may be sold or delivered in the building
21 located at 1200 Centerville Avenue in Belleville, Illinois and
22 occupied by either the Belleville Area Special Education
23 District or the Belleville Area Special Services Cooperative.

24 Alcoholic liquors may be delivered to and sold at the Louis
25 Joliet Renaissance Center, City Center Campus, located at 214
26 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts

1 Department facilities, Main Campus, located at 1215 Houbolt
2 Road, Joliet, owned by or under the control of Joliet Junior
3 College, Illinois Community College District No. 525.

4 Alcoholic liquors may be delivered to and sold at Triton
5 College, Illinois Community College District No. 504.

6 Alcoholic liquors may be delivered to and sold at the
7 College of DuPage, Illinois Community College District No. 502.

8 Alcoholic liquors may be delivered to and sold at the
9 building located at 446 East Hickory Avenue in Apple River,
10 Illinois, owned by the Apple River Fire Protection District,
11 and occupied by the Apple River Community Association if the
12 alcoholic liquor is sold or dispensed only in connection with
13 organized functions approved by the Apple River Community
14 Association for which the planned attendance is 20 or more
15 persons and if the person or facility selling or dispensing the
16 alcoholic liquor has provided dram shop liability insurance in
17 maximum limits so as to hold harmless the Apple River Fire
18 Protection District, the Village of Apple River, and the Apple
19 River Community Association from all financial loss, damage,
20 and harm.

21 Alcoholic liquors may be delivered to and sold at the Sikia
22 Restaurant, Kennedy King College Campus, located at 740 West
23 63rd Street, Chicago, and at the Food Services in the Great
24 Hall/Washburne Culinary Institute Department facility, Kennedy
25 King College Campus, located at 740 West 63rd Street, Chicago,
26 owned by or under the control of City Colleges of Chicago,

1 Illinois Community College District No. 508.

2 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,
3 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;
4 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff.
5 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised
6 9-24-13.)

7 (320 ILCS 65/20 rep.)

8 Section 125. The Family Caregiver Act is amended by
9 repealing Section 20.

10 (410 ILCS 3/10 rep.)

11 Section 130. The Atherosclerosis Prevention Act is amended
12 by repealing Section 10.

13 (410 ILCS 425/Act rep.)

14 Section 135. The High Blood Pressure Control Act is
15 repealed.

16 Section 140. The Environmental Protection Act is amended by
17 changing Section 22.8 as follows:

18 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

19 Sec. 22.8. Environmental Protection Permit and Inspection
20 Fund.

21 (a) There is hereby created in the State Treasury a special

1 fund to be known as the Environmental Protection Permit and
2 Inspection Fund. All fees collected by the Agency pursuant to
3 this Section, Section 9.6, 12.2, 16.1, ~~22.2 (j) (6) (E) (v) (IV)~~,
4 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act,
5 or pursuant to Section 22 of the Public Water Supply Operations
6 Act or Section 1011 of the Solid Waste Site Operator
7 Certification Law, as well as ~~and~~ funds collected under
8 subsection (b.5) of Section 42 of this Act, shall be deposited
9 into the Fund. In addition to any monies appropriated from the
10 General Revenue Fund, monies in the Fund shall be appropriated
11 by the General Assembly to the Agency in amounts deemed
12 necessary for manifest, permit, and inspection activities and
13 for performing its functions, powers, and duties under the
14 Solid Waste Site Operator Certification Law ~~processing~~
15 ~~requests under Section 22.2 (j) (6) (E) (v) (IV)~~.

16 The General Assembly may appropriate monies in the Fund
17 deemed necessary for Board regulatory and adjudicatory
18 proceedings.

19 (a-5) As soon as practicable after the effective date of
20 this amendatory Act of the 98th General Assembly, but no later
21 than January 1, 2014, the State Comptroller shall direct and
22 the State Treasurer shall transfer all monies in the Industrial
23 Hygiene Regulatory and Enforcement Fund to the Environmental
24 Protection Permit and Inspection Fund to be used in accordance
25 with the terms of the Environmental Protection Permit and
26 Inspection Fund.

1 (a-6) As soon as practicable after the effective date of
2 this amendatory Act of the 98th General Assembly, but no later
3 than December 31, 2014, the State Comptroller shall order the
4 transfer of, and the State Treasurer shall transfer, all moneys
5 in the Hazardous Waste Occupational Licensing Fund into the
6 Environmental Protection Permit and Inspection Fund to be used
7 in accordance with the terms of the Environmental Protection
8 Permit and Inspection Fund.

9 (b) The Agency shall collect from the owner or operator of
10 any of the following types of hazardous waste disposal sites or
11 management facilities which require a RCRA permit under
12 subsection (f) of Section 21 of this Act, or a UIC permit under
13 subsection (g) of Section 12 of this Act, an annual fee in the
14 amount of:

15 (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous
16 waste disposal site receiving hazardous waste if the
17 hazardous waste disposal site is located off the site where
18 such waste was produced;

19 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous
20 waste disposal site receiving hazardous waste if the
21 hazardous waste disposal site is located on the site where
22 such waste was produced;

23 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous
24 waste disposal site receiving hazardous waste if the
25 hazardous waste disposal site is an underground injection
26 well;

1 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous
2 waste management facility treating hazardous waste by
3 incineration;

4 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous
5 waste management facility treating hazardous waste by a
6 method, technique or process other than incineration;

7 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous
8 waste management facility storing hazardous waste in a
9 surface impoundment or pile;

10 (7) \$250 (\$500 beginning in 2004) for a hazardous waste
11 management facility storing hazardous waste other than in a
12 surface impoundment or pile; and

13 (8) Beginning in 2004, \$500 for a large quantity
14 hazardous waste generator required to submit an annual or
15 biennial report for hazardous waste generation.

16 (c) Where two or more operational units are located within
17 a single hazardous waste disposal site, the Agency shall
18 collect from the owner or operator of such site an annual fee
19 equal to the highest fee imposed by subsection (b) of this
20 Section upon any single operational unit within the site.

21 (d) The fee imposed upon a hazardous waste disposal site
22 under this Section shall be the exclusive permit and inspection
23 fee applicable to hazardous waste disposal at such site,
24 provided that nothing in this Section shall be construed to
25 diminish or otherwise affect any fee imposed upon the owner or
26 operator of a hazardous waste disposal site by Section 22.2.

1 (e) The Agency shall establish procedures, no later than
2 December 1, 1984, relating to the collection of the hazardous
3 waste disposal site fees authorized by this Section. Such
4 procedures shall include, but not be limited to the time and
5 manner of payment of fees to the Agency, which shall be
6 quarterly, payable at the beginning of each quarter for
7 hazardous waste disposal site fees. Annual fees required under
8 paragraph (7) of subsection (b) of this Section shall accompany
9 the annual report required by Board regulations for the
10 calendar year for which the report applies.

11 (f) For purposes of this Section, a hazardous waste
12 disposal site consists of one or more of the following
13 operational units:

14 (1) a landfill receiving hazardous waste for disposal;

15 (2) a waste pile or surface impoundment, receiving
16 hazardous waste, in which residues which exhibit any of the
17 characteristics of hazardous waste pursuant to Board
18 regulations are reasonably expected to remain after
19 closure;

20 (3) a land treatment facility receiving hazardous
21 waste; or

22 (4) a well injecting hazardous waste.

23 (g) The Agency shall assess a fee for each manifest
24 provided by the Agency. For manifests provided on or after
25 January 1, 1989 but before July 1, 2003, the fee shall be \$1
26 per manifest. For manifests provided on or after July 1, 2003,

1 the fee shall be \$3 per manifest.

2 (Source: P.A. 98-78, eff. 7-15-13.)

3 Section 145. The Illinois Pesticide Act is amended by
4 changing Sections 19.3 and 22.2 as follows:

5 (415 ILCS 60/19.3)

6 Sec. 19.3. Agrichemical Facility Response Action Program.

7 (a) It is the policy of the State of Illinois that an
8 Agrichemical Facility Response Action Program be implemented
9 to reduce potential agrichemical pollution and minimize
10 environmental degradation risk potential at these sites. In
11 this Section, "agrichemical facility" means a site where
12 agrichemicals are stored or handled, or both, in preparation
13 for end use. "Agrichemical facility" does not include basic
14 manufacturing or central distribution sites utilized only for
15 wholesale purposes. As used in this Section, "agrichemical"
16 means pesticides or commercial fertilizers at an agrichemical
17 facility.

18 The program shall provide guidance for assessing the threat
19 of soil agrichemical contaminants to groundwater and
20 recommending which sites need to establish a voluntary
21 corrective action program.

22 The program shall establish appropriate site-specific soil
23 cleanup objectives, which shall be based on the potential for
24 the agrichemical contaminants to move from the soil to

1 groundwater and the potential of the specific soil agrichemical
2 contaminants to cause an exceedence of a Class I or Class III
3 groundwater quality standard or a health advisory level. The
4 Department shall use the information found and procedures
5 developed in the Agrichemical Facility Site Contamination
6 Study or other appropriate physical evidence to establish the
7 soil agrichemical contaminant levels of concern to groundwater
8 in the various hydrological settings to establish
9 site-specific cleanup objectives.

10 No remediation of a site may be recommended unless (i) the
11 agrichemical contamination level in the soil exceeds the
12 site-specific cleanup objectives or (ii) the agrichemical
13 contaminant level in the soil exceeds levels where physical
14 evidence and risk evaluation indicates probability of the site
15 causing an exceedence of a groundwater quality standard.

16 When a remediation plan must be carried out over a number
17 of years due to limited financial resources of the owner or
18 operator of the agrichemical facility, those soil agrichemical
19 contaminated areas that have the greatest potential to
20 adversely impact vulnerable Class I groundwater aquifers and
21 adjacent potable water wells shall receive the highest priority
22 rating and be remediated first.

23 (b) (Blank). ~~The Agrichemical Facility Response Action~~
24 ~~Program Board ("the Board") is created. The Board members shall~~
25 ~~consist of the following:~~

26 ~~(1) The Director or the Director's designee.~~

1 ~~(2) One member who represents pesticide manufacturers.~~

2 ~~(3) Two members who represent retail agrichemical~~
3 ~~dealers.~~

4 ~~(4) One member who represents agrichemical~~
5 ~~distributors.~~

6 ~~(5) One member who represents active farmers.~~

7 ~~(6) One member at large.~~

8 ~~The public members of the Board shall be appointed by the~~
9 ~~Governor for terms of 2 years. Those persons on the Board who~~
10 ~~represent pesticide manufacturers, agrichemical dealers,~~
11 ~~agrichemical distributors, and farmers shall be selected from~~
12 ~~recommendations made by the associations whose membership~~
13 ~~reflects those specific areas of interest. The members of the~~
14 ~~Board shall be appointed within 90 days after the effective~~
15 ~~date of this amendatory Act of 1995. Vacancies on the Board~~
16 ~~shall be filled within 30 days. The Board may fill any~~
17 ~~membership position vacant for a period exceeding 30 days.~~

18 ~~The members of the Board shall be paid no compensation, but~~
19 ~~shall be reimbursed for their expenses incurred in performing~~
20 ~~their duties. If a civil proceeding is commenced against a~~
21 ~~Board member arising out of an act or omission occurring within~~
22 ~~the scope of the Board member's performance of his or her~~
23 ~~duties under this Section, the State, as provided by rule,~~
24 ~~shall indemnify the Board member for any damages awarded and~~
25 ~~court costs and attorney's fees assessed as part of a final and~~
26 ~~unreversed judgement, or shall pay the judgment, unless the~~

1 ~~court or jury finds that the conduct or inaction that gave rise~~
2 ~~to the claim or cause of action was intentional, wilful or~~
3 ~~wanton misconduct and was not intended to serve or benefit~~
4 ~~interests of the State.~~

5 ~~The chairperson of the Board shall be selected by the Board~~
6 ~~from among the public members.~~

7 (c) (Blank). ~~The Board has the authority to do the~~
8 ~~following:~~

9 ~~(1) Cooperate with the Department and review and~~
10 ~~approve an agrichemical facility remediation program as~~
11 ~~outlined in the handbook or manual as set forth in~~
12 ~~subdivision (d) (8) of this Section.~~

13 ~~(2) Review and give final approval to each agrichemical~~
14 ~~facility corrective action plan.~~

15 ~~(3) Approve any changes to an agrichemical facility's~~
16 ~~corrective action plan that may be necessary.~~

17 ~~(4) Upon completion of the corrective action plan,~~
18 ~~recommend to the Department that the site specific cleanup~~
19 ~~objectives have been met and that a notice of closure be~~
20 ~~issued by the Department stating that no further remedial~~
21 ~~action is required to remedy the past agrichemical~~
22 ~~contamination.~~

23 ~~(5) When a soil agrichemical contaminant assessment~~
24 ~~confirms that remedial action is not required in accordance~~
25 ~~with the Agrichemical Facility Response Action Program,~~
26 ~~recommend that a notice of closure be issued by the~~

1 ~~Department stating that no further remedial action is~~
2 ~~required to remedy the past agrichemical contamination.~~

3 ~~(6) Periodically review the Department's~~
4 ~~administration of the Agrichemical Incident Response Trust~~
5 ~~Fund and actions taken with respect to the Fund. The Board~~
6 ~~shall also provide advice to the Interagency Committee on~~
7 ~~Pesticides regarding the proper handling of agrichemical~~
8 ~~incidents at agrichemical facilities in Illinois.~~

9 (d) The Director has the authority to do the following:

10 (1) When requested by the owner or operator of an
11 agrichemical facility, may investigate the agrichemical
12 facility site contamination.

13 (2) After completion of the investigation under item
14 ~~subdivision (d) (1) of this subsection Section~~, recommend
15 to the owner or operator of an agrichemical facility that a
16 voluntary assessment be made of the soil agrichemical
17 contaminant when there is evidence that the evaluation of
18 risk indicates that groundwater could be adversely
19 impacted.

20 (3) Review and make recommendations on any corrective
21 action plan submitted by the owner or operator of an
22 agrichemical facility ~~to the Board for final approval.~~

23 (4) On approval by the Director Board, issue an order
24 to the owner or operator of an agrichemical facility that
25 has filed a voluntary corrective action plan that the owner
26 or operator may proceed with that plan.

1 (5) Provide remedial project oversight and ~~7~~ monitor
2 remedial work progress, ~~and report to the Board on the~~
3 ~~status of remediation projects.~~

4 (6) Provide staff to support program ~~the~~ activities ~~of~~
5 ~~the Board.~~

6 (7) (Blank). ~~Take appropriate action on the Board's~~
7 ~~recommendations regarding policy needed to carry out the~~
8 ~~Board's responsibilities under this Section.~~

9 (8) Incorporate ~~In cooperation with the Board,~~
10 ~~incorporate~~ the following into a handbook or manual: the
11 procedures for site assessment; pesticide constituents of
12 concern and associated parameters; guidance on remediation
13 techniques, land application, and corrective action plans;
14 and other information or instructions that the Department
15 may find necessary.

16 (9) Coordinate preventive response actions at
17 agrichemical facilities pursuant to the Groundwater
18 Quality Standards adopted pursuant to Section 8 of the
19 Illinois Groundwater Protection Act to mitigate resource
20 groundwater impairment.

21 Upon completion of the corrective action plan ~~and upon~~
22 ~~recommendation of the Board,~~ the Department shall issue a
23 notice of closure stating that site-specific cleanup
24 objectives have been met and no further remedial action is
25 required to remedy the past agrichemical contamination.

26 When a soil agrichemical contaminant assessment confirms

1 that remedial action is not required in accordance with the
2 Agrichemical Facility Response Action Program ~~and upon the~~
3 ~~recommendation of the Board~~, a notice of closure shall be
4 issued by the Department stating that no further remedial
5 action is required to remedy the past agrichemical
6 contamination.

7 (e) Upon receipt of notification of an agrichemical
8 contaminant in groundwater pursuant to the Groundwater Quality
9 Standards, the Department shall evaluate the severity of the
10 agrichemical contamination and shall submit to the
11 Environmental Protection Agency an informational notice
12 characterizing it as follows:

13 (1) An agrichemical contaminant in Class I or Class III
14 groundwater has exceeded the levels of a standard adopted
15 pursuant to the Illinois Groundwater Protection Act or a
16 health advisory established by the Illinois Environmental
17 Protection Agency or the United States Environmental
18 Protection Agency; or

19 (2) An agrichemical has been detected at a level that
20 requires preventive notification pursuant to a standard
21 adopted pursuant to the Illinois Groundwater Protection
22 Act.

23 (f) When agrichemical contamination is characterized as in
24 subsection ~~subdivision~~ (e) (1) of this Section, a facility may
25 elect to participate in the Agrichemical Facility Response
26 Action Program. In these instances, the scope of the corrective

1 action plans developed, approved, and completed under this
2 program shall be limited to the soil agrichemical contamination
3 present at the site unless implementation of the plan is
4 coordinated with the Illinois Environmental Protection Agency
5 as follows:

6 (1) Upon receipt of notice of intent to include
7 groundwater in an action by a facility, the Department
8 shall also notify the Illinois Environmental Protection
9 Agency.

10 (2) Upon receipt of the corrective action plan, the
11 Department shall coordinate a joint review of the plan with
12 the Illinois Environmental Protection Agency.

13 (3) The Illinois Environmental Protection Agency may
14 provide a written endorsement of the corrective action
15 plan.

16 (4) The Illinois Environmental Protection Agency may
17 approve a groundwater management zone for a period of 5
18 years after the implementation of the corrective action
19 plan to allow for groundwater impairment mitigation
20 results.

21 (5) (Blank). ~~The Department, in cooperation with the~~
22 ~~Illinois Environmental Protection Agency, shall recommend~~
23 ~~a proposed corrective action plan to the Board for final~~
24 ~~approval to proceed with remediation. The recommendation~~
25 ~~shall be based on the joint review conducted under~~
26 ~~subdivision (f)(2) of this Section and the status of any~~

1 ~~endorsement issued under subdivision (f)(3) of this~~
2 ~~Section.~~

3 (6) The Department, in cooperation with the Illinois
4 Environmental Protection Agency, shall provide remedial
5 project oversight, monitor remedial work progress, ~~and~~
6 ~~report to the Board on the status of the remediation~~
7 ~~project.~~

8 (7) The Department shall, upon completion of the
9 corrective action plan ~~and recommendation of the Board,~~
10 issue a notice of closure stating that no further remedial
11 action is required to remedy the past agrichemical
12 contamination.

13 (g) When an owner or operator of an agrichemical facility
14 initiates a soil contamination assessment on the owner's or
15 operator's own volition and independent of any requirement
16 under this Section 19.3, information contained in that
17 assessment may be held as confidential information by the owner
18 or operator of the facility.

19 (h) Except as otherwise provided by Department rule, on and
20 after the effective date of this amendatory Act of the 98th
21 General Assembly, any Agrichemical Facility Response Action
22 Program requirement that may be satisfied by an industrial
23 hygienist licensed pursuant to the Industrial Hygienists
24 Licensure Act repealed in this amendatory Act may be satisfied
25 by a Certified Industrial Hygienist certified by the American
26 Board of Industrial Hygiene.

1 (Source: P.A. 98-78, eff. 7-15-13.)

2 (415 ILCS 60/22.2) (from Ch. 5, par. 822.2)

3 Sec. 22.2. (a) There is hereby created a trust fund in the
4 State Treasury to be known as the Agrichemical Incident
5 Response Trust Fund. Any funds received by the Director of
6 Agriculture from the mandates of Section 13.1 shall be
7 deposited with the Treasurer as ex-officio custodian and held
8 separate and apart from any public money of this State, with
9 accruing interest on the trust funds deposited into the trust
10 fund. Disbursement from the fund for purposes as set forth in
11 this Section shall be by voucher ordered by the Director and
12 paid by a warrant drawn by the State Comptroller and
13 countersigned by the State Treasurer. The Director shall order
14 disbursements from the Agrichemical Incident Response Trust
15 Fund only for payment of the expenses authorized by this Act.
16 Monies in this trust fund shall not be subject to appropriation
17 by the General Assembly but shall be subject to audit by the
18 Auditor General. Should the program be terminated, all
19 unobligated funds in the trust fund shall be transferred to a
20 trust fund to be used for purposes as originally intended or be
21 transferred to the Pesticide Control Fund. Interest earned on
22 the Fund shall be deposited in the Fund. Monies in the Fund may
23 be used by the Department of Agriculture for the following
24 purposes:

25 (1) for payment of costs of response action incurred by

1 owners or operators of agrichemical facilities as provided
2 in Section 22.3 of this Act;

3 (2) for the Department to take emergency action in
4 response to a release of agricultural pesticides from an
5 agrichemical facility that has created an imminent threat
6 to public health or the environment;

7 (3) for the costs of administering its activities
8 relative to the Fund as delineated in subsections (b) and
9 (c) of this Section; and

10 (4) for the Department to:

11 (A) (blank); and ~~reimburse members of the~~
12 ~~Agrichemical Facility Response Action Program Board~~
13 ~~for their expenses incurred in performing their duties~~
14 ~~as defined under Section 19.3 of this Act; and~~

15 (B) administer ~~provide staff to support the~~
16 ~~activities of the Agrichemical Facility Response~~
17 ~~Action Program Board.~~

18 The total annual expenditures from the Fund for these
19 purposes under this paragraph (4) shall not be more than
20 \$120,000, and no expenditure from the Fund for these
21 purposes shall be made when the Fund balance becomes less
22 than \$750,000.

23 (b) The action undertaken shall be such as may be necessary
24 or appropriate to protect human health or the environment.

25 (c) The Director of Agriculture is authorized to enter into
26 contracts and agreements as may be necessary to carry out the

1 Department's duties under this Section.

2 (d) Neither the State, the Director, nor any State employee
3 shall be liable for any damages or injury arising out of or
4 resulting from any action taken under this Section.

5 (e) (Blank). ~~On a quarterly basis, the Department shall~~
6 ~~advise and consult with the Agrichemical Facility Response~~
7 ~~Action Program Board as to the Department's administration of~~
8 ~~the Fund.~~

9 (Source: P.A. 89-94, eff. 7-6-95.)

10 Section 150. The Hazardous Material Emergency Response
11 Reimbursement Act is amended by changing Sections 3, 4, and 5
12 as follows:

13 (430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

14 Sec. 3. Definitions. As used in this Act:

15 (a) "Emergency action" means any action taken at or near
16 the scene of a hazardous materials emergency incident to
17 prevent or minimize harm to human health, to property, or to
18 the environments from the unintentional release of a hazardous
19 material.

20 (b) "Emergency response agency" means a unit of local
21 government, volunteer fire protection organization, or the
22 American Red Cross that provides:

23 (1) firefighting services;

24 (2) emergency rescue services;

- 1 (3) emergency medical services;
- 2 (4) hazardous materials response teams;
- 3 (5) civil defense;
- 4 (6) technical rescue teams; or
- 5 (7) mass care or assistance to displaced persons.

6 (c) "Responsible party" means a person who:

7 (1) owns or has custody of hazardous material that is
8 involved in an incident requiring emergency action by an
9 emergency response agency; or

10 (2) owns or has custody of bulk or non-bulk packaging
11 or a transport vehicle that contains hazardous material
12 that is involved in an incident requiring emergency action
13 by an emergency response agency; and

14 (3) who causes or substantially contributed to the
15 cause of the incident.

16 (d) "Person" means an individual, a corporation, a
17 partnership, an unincorporated association, or any unit of
18 federal, State or local government.

19 (e) "Annual budget" means the cost to operate an emergency
20 response agency excluding personnel costs, which include
21 salary, benefits and training expenses; and costs to acquire
22 capital equipment including buildings, vehicles and other such
23 major capital cost items.

24 (f) "Hazardous material" means a substance or material in a
25 quantity and form determined by the United States Department of
26 Transportation to be capable of posing an unreasonable risk to

1 health and safety or property when transported in commerce.

2 (g) "Fund" means the Fire Prevention Fund ~~"Panel" means~~
3 ~~administrative panel.~~

4 (Source: P.A. 93-159, eff. 1-1-04; 94-96, eff. 1-1-06.)

5 (430 ILCS 55/4) (from Ch. 127 1/2, par. 1004)

6 Sec. 4. Establishment. The Emergency Response
7 Reimbursement Fund in the State Treasury, hereinafter called
8 the Fund, is hereby created. Appropriations shall be made from
9 the general revenue fund to the Fund. Monies in the Fund shall
10 be used as provided in this Act.

11 The Emergency Response Reimbursement Fund is dissolved as
12 of the effective date of this amendatory Act of the 98th
13 General Assembly. Any moneys remaining in the fund shall be
14 transferred to the Fire Prevention Fund.

15 (Source: P.A. 86-972.)

16 (430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

17 Sec. 5. Reimbursement to agencies.

18 (a) It shall be the duty of the responsible party to
19 reimburse, within 60 days after the receipt of a bill for the
20 hazardous material emergency incident, the emergency response
21 agencies responding to a hazardous material emergency
22 incident, and any private contractor responding to the incident
23 at the request of an emergency response agency, for the costs
24 incurred in the course of providing emergency action.

1 (b) In the event that the emergency response agencies are
2 not reimbursed by a responsible party as required under
3 subsection (a), monies in the Fund, subject to appropriation,
4 shall be used to reimburse the emergency response agencies
5 providing emergency action at or near the scene of a hazardous
6 materials emergency incident subject to the following
7 limitations:

8 (1) Cost recovery from the Fund is limited to
9 replacement of expended materials including, but not
10 limited to, specialized firefighting foam, damaged hose or
11 other reasonable and necessary supplies.

12 (2) The applicable cost of supplies must exceed 2% of
13 the emergency response agency's annual budget.

14 (3) A minimum of \$500 must have been expended.

15 (4) A maximum of \$10,000 may be requested per incident.

16 (5) The response was made to an incident involving
17 hazardous materials facilities such as rolling stock which
18 are not in a terminal and which are not included on the
19 property tax roles for the jurisdiction where the incident
20 occurred.

21 (c) Application for reimbursement from the Fund shall be
22 made to the State Fire Marshal or his designee. The State Fire
23 Marshal shall, through rulemaking, promulgate a standard form
24 for such application. The State Fire Marshal shall adopt rules
25 for the administration of this Act.

26 (d) Claims against the Fund shall be reviewed by the

1 Illinois Fire Advisory Commission at its normally scheduled
2 meetings, as the claims are received. The Commission shall be
3 responsible for:

4 (1) reviewing claims made against the Fund and
5 determining reasonable and necessary expenses to be
6 reimbursed for an emergency response agency:

7 (2) affirming that the emergency response agency has
8 made a reasonable effort to recover expended costs from
9 involved parties; and

10 (3) advising the State Fire Marshal as to those claims
11 against the Fund which merit reimbursement.

12 (e) The State Fire Marshal shall either accept or reject
13 the Commission's recommendations as to a claim's eligibility.
14 The eligibility decision of the State Fire Marshal shall be a
15 final administrative decision, and may be reviewed as provided
16 under the Administrative Review Law.

17 (Source: P.A. 93-989, eff. 1-1-05.)

18 (430 ILCS 55/7 rep.)

19 Section 155. The Hazardous Material Emergency Response
20 Reimbursement Act is amended by repealing Section 7.

21 (510 ILCS 15/1 rep.)

22 Section 160. The Animal Gastroenteritis Act is amended by
23 repealing Section 1.

1 Section 165. The Animal Gastroenteritis Act is amended by
2 changing Section 2 as follows:

3 (510 ILCS 15/2) (from Ch. 8, par. 204)

4 Sec. 2. The Director of Agriculture is authorized to
5 establish within the Department an Advisory Committee to be
6 known as the Swine Disease Control Committee. Such committee
7 shall consist of 5 producers of swine, 2 representatives of
8 general farm organizations in the State, one representative of
9 general swine organizations in the State, one or more licensed
10 practicing veterinarians, the State Veterinarian, the Director
11 of the Department of Agriculture's Galesburg Animal Disease
12 Laboratory, the administrator of animal disease programs the
13 Dean of the College of Veterinary Medicine and the Dean of the
14 College of Agricultural, Consumer and Environmental Sciences
15 ~~Agriculture~~ of the University of Illinois, the Dean of the
16 College of Agricultural Sciences of Southern Illinois
17 University, the Dean of the School of Agriculture of Western
18 Illinois University, the Chair of the Department of Agriculture
19 of Illinois State University, the Director of Public Health and
20 the Chairman of the Senate Agriculture and 7 Conservation and
21 ~~Energy~~ ~~Committee of the Senate~~ and the Chairman of the House
22 ~~Committee on Agriculture and Conservation Committee of the~~
23 ~~House~~. In the appointment of such committee, the Director shall
24 consult with representative persons and recognized
25 organizations in the respective fields concerning such

1 appointments of producers and members of general farm
2 organizations.

3 The Director is authorized to establish within the
4 Department an advisory committee to be known as the Cattle
5 Disease Control ~~Research~~ Committee. Such committee shall
6 consist of 2 representatives of general farm organizations in
7 the State, one representative of general cattle organizations
8 in the State, the Dean of the College of Veterinary Medicine
9 and the Dean of the College of Agricultural, Consumer and
10 Environmental Sciences ~~Agriculture~~ of the University of
11 Illinois, the Dean of the College of Agricultural Sciences of
12 Southern Illinois University, the Dean of the School of
13 Agriculture of Western Illinois University, the Chair of the
14 Department of Agriculture of Illinois State University, ~~the~~
15 ~~administrator of animal disease programs~~ and the Director of
16 Public Health, the Chairman of the Senate Agriculture and ~~7~~
17 ~~Conservation and Energy~~ Committee ~~of the Senate~~ and the
18 Chairman of the House Agriculture and Conservation Committee ~~on~~
19 ~~Agriculture of the House~~. Eight additional members
20 representing the following agricultural interests: feeder
21 cattle, purebred beef cattle, dairy cattle and one or more
22 licensed practicing veterinarians, the State Veterinarian and
23 the Director of the Department of Agriculture's Galesburg
24 Animal Disease Laboratory. In the appointment of such
25 committee, the Director shall consult with representative
26 persons and recognized organizations in the respective fields,

1 producers and members of general farm organizations.

2 Meetings shall only occur in the event of a disease
3 outbreak or other significant disease situation. The meetings
4 will be scheduled at the call of ~~From time to time~~ the Director
5 ~~shall consult~~ with the Swine Disease Control Committee and the
6 Cattle Disease ~~Research~~ Committee to address disease
7 prevention, management, and control in the case of a disease
8 outbreak. The Committees shall receive no compensation but
9 shall be reimbursed for expenses necessarily incurred in the
10 performance of their duties ~~concerning research projects to be~~
11 ~~undertaken, the priority of such projects, the results of such~~
12 ~~research and the manner in which the results of such research~~
13 ~~can be made available to best serve the livestock industry of~~
14 ~~the State.~~

15 ~~The Director may also consult with such committees~~
16 ~~concerning problems arising in the administration of "An Act~~
17 ~~authorizing and providing for a cooperative program between~~
18 ~~United States, state and local agencies, public and private~~
19 ~~agencies and organizations and individuals for the control of~~
20 ~~starlings, rodents and other injurious predatory animal and~~
21 ~~bird pests and making an appropriation therefor", approved~~
22 ~~August 26, 1963.~~

23 (Source: P.A. 85-323.)

24 Section 170. The Illinois Pseudorabies Control Act is
25 amended by changing Section 5.1 as follows:

1 (510 ILCS 90/5.1) (from Ch. 8, par. 805.1)

2 Sec. 5.1. Pseudorabies Advisory Committee. Upon the
3 detection of pseudorabies within the State, the ~~The~~ Director of
4 Agriculture is authorized to establish within the Department an
5 advisory committee to be known as the Pseudorabies Advisory
6 Committee. The Committee ~~Such committee~~ shall consist of, but
7 not be limited to, representatives of swine producers, general
8 swine organizations within the State, licensed veterinarians,
9 general farm organizations, auction markets, the packing
10 industry and the University of Illinois. Members of the
11 Committee shall only be appointed and meet during the timeframe
12 of the detection. ~~The Director shall, from time to time,~~
13 ~~consult with the Pseudorabies Advisory Committee on changes in~~
14 ~~the pseudorabies control program.~~

15 The Director shall appoint a Technical Committee from the
16 membership of the Pseudorabies Advisory Committee, which shall
17 be comprised of a veterinarian, a swine extension specialist,
18 and a pork producer. This committee shall serve as resource
19 persons for the technical aspects of the herd plans and may
20 advise the Department on procedures to be followed, timetables
21 for accomplishing the elimination of infection, assist in
22 obtaining cooperation from swine herd owners, and recommend
23 adjustments in the approved herd plan as necessary.

24 These Committee members shall be entitled to reimbursement
25 of all necessary and actual expenses incurred in the

1 performance of their duties.

2 (Source: P.A. 89-154, eff. 7-19-95.)

3 (525 ILCS 25/10 rep.)

4 Section 175. The Illinois Lake Management Program Act is
5 amended by repealing Section 10.

6 (775 ILCS 20/Act rep.)

7 Section 180. The Defense Contract Employment
8 Discrimination Act is repealed.

9 (815 ILCS 325/6 rep.)

10 Section 185. The Recyclable Metal Purchase Registration
11 Law is amended by repealing Section 6.

12 Section 999. Effective date. This Act takes effect upon
13 becoming law, except that Section 55 takes effect on January 1,
14 2015.

1 INDEX
2 Statutes amended in order of appearance

- 3 15 ILCS 20/50-5
- 4 20 ILCS 415/9 from Ch. 127, par. 63b109
- 5 20 ILCS 605/605-345 rep.
- 6 20 ILCS 605/605-425 rep.
- 7 20 ILCS 1105/3 from Ch. 96 1/2, par. 7403
- 8 20 ILCS 1105/8 rep.
- 9 20 ILCS 2310/2310-373 rep.
- 10 20 ILCS 2310/2310-396 rep.
- 11 20 ILCS 2605/2605-420 rep.
- 12 20 ILCS 3005/7.3
- 13 20 ILCS 3020/805
- 14 30 ILCS 105/5.250 rep.
- 15 30 ILCS 330/13 from Ch. 127, par. 663
- 16 30 ILCS 720/Act rep.
- 17 30 ILCS 750/9-4.5 rep.
- 18 35 ILCS 200/8-35
- 19 35 ILCS 200/17-20
- 20 35 ILCS 200/17-40
- 21 105 ILCS 410/1 from Ch. 122, par. 1851
- 22 110 ILCS 805/2-10 from Ch. 122, par. 102-10
- 23 215 ILCS 5/178 rep.
- 24 215 ILCS 5/Art. XVI rep.
- 25 215 ILCS 5/Art. XIXB rep.

1 225 ILCS 120/24 rep.
2 225 ILCS 230/1011 from Ch. 111, par. 7861
3 225 ILCS 401/180
4 230 ILCS 5/30 from Ch. 8, par. 37-30
5 235 ILCS 5/6-15 from Ch. 43, par. 130
6 320 ILCS 65/20 rep.
7 410 ILCS 3/10 rep.
8 410 ILCS 425/Act rep.
9 415 ILCS 5/22.8 from Ch. 111 1/2, par. 1022.8
10 415 ILCS 60/19.3
11 415 ILCS 60/22.2 from Ch. 5, par. 822.2
12 430 ILCS 55/3 from Ch. 127 1/2, par. 1003
13 430 ILCS 55/4 from Ch. 127 1/2, par. 1004
14 430 ILCS 55/5 from Ch. 127 1/2, par. 1005
15 430 ILCS 55/7 rep.
16 510 ILCS 15/1 rep.
17 510 ILCS 15/2 from Ch. 8, par. 204
18 510 ILCS 90/5.1 from Ch. 8, par. 805.1
19 525 ILCS 25/10 rep.
20 775 ILCS 20/Act rep.
21 815 ILCS 325/6 rep.